



**Town of Oakville
Planning and Development Council**

AGENDA

Date: Monday, July 8, 2024
Time: 6:30 p.m.
Location: Council Chamber

Town Hall is open to the public and live streaming video is available on <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/live-stream> or at the town's YouTube channel at <https://www.youtube.com/user/TownofOakvilleTV>. Information regarding written submissions and requests to delegate can be found at <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/delegations-presentations>.

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2. Declarations of Pecuniary Interest	
3. Committee of the Whole	
4. Consent Items(s)	
4.1 Notice of intention to demolish – 324 Spruce Street – July 8, 2024	6 - 134
Recommendation:	
1. That the property at 324 Spruce Street be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,	
2. That, prior to demolition, the property owners allow for the salvage of materials from the house.	

4.2 Recommendation Report, Draft Plan of Condominium, 2170 Postmaster Drive, Branthaven West Oak Inc., 24CDM_24004.1424 135 - 146

Recommendation:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-24004/1424) submitted by Branthaven West Oak Inc., and prepared by R-PE Surveying Ltd. dated January 26, 2024, subject to the conditions contained in Appendix A of the Planning Service Report dated June 25, 2024.

5. Confidential Consent Item(s)

There are no Confidential Consent Items listed for this agenda.

6. Public Hearing Item(s)

6.1 Public Meeting Report – Official Plan Amendment, Creditmills Development Group, File Number OPA.1515.23 147 - 170

Recommendation:

1. That the comments from the public with respect to the proposed Official Plan Amendment application submitted by Creditmills Development Group, File No.: OPA.1515.23, be received.
2. That staff consider such comments as may be provided by Council.

6.2 Public Meeting Report, Official Plan Amendment, 3064 Trafalgar Partnership, File No.: OPA1313.11 171 - 195

Recommendation:

1. That comments from the public with respect to the proposed Official Plan Amendment application submitted by Korsiak Urban Planning on behalf of 3064 Trafalgar Partnership (File No.: OPA1313.11), be received.
2. That Staff consider such comments as may be provided by Council.

7. Discussion Item(s)

Item 7.3 see addendum to be distributed.

7.1 Recommendation Report – Draft Plan of Subdivision and Zoning By-law Amendment – Rampen Holdings Inc. – 1086 Burnhamthorpe Road East, File Nos.: 24T-22009/1310, Z.1310.18 – By-law 2024-090

196 - 268

Recommendation:

1. That revised Draft Plan of Subdivision and Zoning By-law Amendment applications (File Nos. 24T-22009/1310 and Z.1310.18), submitted by Rampen Holdings Inc., be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated June 25, 2024.
2. That By-law 2024-090, an amendment to Zoning By-law 2009-189, be passed.
3. That the Director of Planning and Development is authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-22009/1310) submitted by Rampen Holdings Inc., prepared by Robert Russell Planning Consultants, dated June 4, 2024, subject to the conditions contained in Appendix “A.”
4. That once 24T-22009/1310 has been draft approved by the Director of Planning and Development, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor or designates.
5. That the Subdivision Agreement be executed in accordance with By-law 2023-021.
6. That notice of Council’s decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
7. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

7.2 Recommendation Report, Draft Plan of Subdivision and Zoning By-law Amendment, Spruce Rose Inc., 304 & 318 Spruce Street – File Nos. 24T-24003/1613 and Z.1613.66

269 - 317

Recommendation:

1. That the Draft Plan of Subdivision and Zoning By-law Amendment applications by Spruce Rose Inc. for 304 & 318 Spruce Street (File Nos. 24T-24003/1613 and Z.1613.66) be refused as proposed;
2. That if the application is appealed to the Ontario Land Tribunal, town staff use the appeal process to attempt to mediate issues affecting zoning regulations and development standards, to the satisfaction of the Director of Planning and Town Solicitor;
3. That the notice of Council's decision reflects that Council has fully considered all of the written and oral submissions relating to these matters and that those comments have been appropriately addressed; and
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

7.3 Midtown Transit Oriented Communities Update

8. Confidential Discussion Item(s)

Items 8.1 and 8.2 see confidential addendum to be distributed.

8.1 Confidential – OLT Appeals Palermo Area(OPA 34, 37, 38,289 and 306, 3069 Dundas Street West and 3278 Regional Road 25 and 3005-3015Dundas Street West) (July 8, 2024)

8.2 Confidential – Midtown Transit Oriented Community Process and Update on Legal Matters (July 8, 2024)

9. Advisory Committee Minutes

9.1 Heritage Oakville Advisory Committee Minutes June 25, 2024

318 - 320

Recommendation:

That the minutes of the Heritage Oakville Advisory Committee meeting on June 25, 2024 be received.

10. Rise and Report to Council

11. New Business

(Emergency, Congratulatory or Condolence)

12. Consideration and Reading of By-laws

That the following by-law(s) be passed:

12.1 By-law 2024-090

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as 1086 Burnhamthorpe Road East (Rampen Holdings Inc.) – Z.1310.18 (Re: Item 7.1)

12.2 By-law 2024-100

321 - 322

A by-law to declare that certain land is not subject to part lot control (Blocks 28, 30, 32, 43, 45 Plan 20M-1268 – Mattamy (Joshua Creek) Limited

12.3 By-law 2024-105

323 - 324

A by-law to declare that certain land is not subject to part lot control (Blocks 237, 238, 239, 253, 254, 255, 256, 257 and 258, Plan 20M-1270 – Hallett JC Corporation)

12.4 By-law 2024-110

325 - 326

A by-law to declare that certain land is not subject to part lot control (Blocks 199, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216 and 217, Plan 20M-1270 – Primont (Joshua Creek) Inc.

12.5 By-law 2024-117

327 - 328

A by-law to declare that certain land is not subject to part lot control (Block 107, Plan 20M-696 – Branthaven West Oak Inc.)

12.6 Bylaw 2024-113

329 - 329

A by-law to confirm the proceedings of a meeting of Council.

13. Adjournment

REPORT

Planning and Development Council

Meeting Date: July 8, 2024

FROM: Planning Services Department

DATE: June 25, 2024

SUBJECT: Notice of intention to demolish – 324 Spruce Street – July 8, 2024

LOCATION: 324 Spruce Street

WARD: Ward 3

Page 1

RECOMMENDATION:

1. That the property at 324 Spruce Street be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owners allow for the salvage of materials from the house.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The subject property is on the Oakville Register of Properties of Cultural Heritage Value or Interest as a listed property ('Register').
- A notice of intention to demolish has been received with a supporting Cultural Heritage Evaluation Report and Structural Assessment
- It is recommended that the property at 324 Spruce Street *not* be designated under the *Ontario Heritage Act* and that the property be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest.
- The Heritage Oakville Advisory Committee supported staff's recommendation to remove the property from the Register at its meeting on June 25, 2024.
- Council must make a decision on the subject notice by August 26, 2024.

BACKGROUND:

The subject property at 324 Spruce Street is located on the south side of Spruce Street between Reynolds Street and Allan Street. The property contains an early 20th century detached brick and frame house. A location map and more details on

the property are included in the Cultural Heritage Evaluation Report, attached as Appendix A.

The Cultural Heritage Evaluation Report was completed by heritage consultant LHC Heritage Planning & Archaeology Inc. and submitted by the applicants along with a notice of intention to demolish for the property.

The applicants also submitted a Structural and Building Engineering Assessment completed by Carmazan Engineering Inc., attached as Appendix B. Based on the findings of this report, the owners are proposing to demolish the house and construct a new house with a similar footprint and style in the same location. Drawings of the proposed new house are included in the Cultural Heritage Evaluation Report.

The property was listed on the Oakville Register of Properties of Cultural Heritage Value or Interest (the 'Heritage Register') as a non-designated property in 2009 based on its potential cultural heritage value or interest "as an example of Craftsman-inspired architecture". The property was not identified as a priority for designation as part of the 2023-2025 Heritage Designation Project in response to the Province's Bill 23.

The notice of intention to demolish application was completed on May 28, 2024. In accordance with the *Ontario Heritage Act*, Council has 60 days to consider the request. The 60-day notice period expires on August 26, 2024.

COMMENT/OPTIONS:

Process

When a notice of intention to demolish is submitted for a listed property, Heritage Planning staff investigates to determine the design/physical, historical/associative, and contextual merits of the property. Through this process, the property is evaluated to determine if it is worthy of designation under the *Ontario Heritage Act*.

If the property meets criteria outlined in Ontario Regulation 9/06 and is considered to merit designation, a recommendation can be made to Heritage Oakville and to Council that a notice of intention to designate be issued for the property. If Council supports a recommendation to designate, Council must move that a notice of intention to designate be issued within 60 days of the notice of intention to demolish being submitted to the town.

If the staff investigation of the property does not provide sufficient evidence that the property merits designation, a recommendation may be made to remove the property from the Heritage Register. If Council supports the staff recommendation and does not issue a notice of intention to designate the property within the 60 days,

the property is removed from the Heritage Register and the owner may then proceed with applying for demolition.

Cultural Heritage Evaluation Report

The applicants have submitted a Cultural Heritage Evaluation Report that provides an overview of the property and the house and an assessment of its cultural heritage value. The report concludes that the property does not meet two or more of the criteria outlined in Ontario Regulation 9/06, as required by the *Ontario Heritage Act*.

In terms of design/physical value, the report concludes that while the building exhibits influences from the Craftsman Bungalow style, it is not a clear representative example of the style, or is it a rare, unique or early example of a Craftsman Bungalow style. The report further concludes that the building does not display a high degree of craftsmanship or artistic merit, nor does it demonstrate a high degree of technical or scientific achievement.

In terms of historical/associative value, the report indicates that the property is associated with Oakville's early 20th century development but that it is outside of the more significant Brantwood neighbourhood and lacks any direct association with any notable themes or people. Further, the report notes that there is no evidence that the property has potential to yield significant information about a community or culture, and it is not known to be associated with a significant architect, artist, builder, designer or theorist.

In terms of contextual value, the report concludes that the property is important in maintaining the character of the area, defined by smaller detached homes, some of which are influenced by the Craftsman Bungalow style. However, it notes that the property does not have contextual value for its physical, functional, visual or historical links to its surroundings, and is not considered to be a landmark.

Based on staff's review of the submitted Cultural Heritage Evaluation Report and an investigation of the property, the property does not have sufficient heritage value to merit designation under section 29, Part IV of the *Ontario Heritage Act*.

Review of Applicable Planning Policies

Provincial Policy

The Province of Ontario has made a clear commitment to the conservation of significant cultural heritage resources through its legislation and policies, including the *Ontario Heritage Act* (2021), *Planning Act* (1990, as amended) Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019).

The PPS (2020) and Growth Plan (2019) function together with the *Ontario Heritage Act* (OHA) by the shared principle that cultural heritage resources shall be conserved. The OHA sets out the procedures for evaluating and protecting heritage resources at the provincial and municipal levels. This includes the use of Ontario Regulation 9/06 as the means for determining if a property has cultural heritage value.

The evaluation of the house at 324 Spruce Street has not demonstrated that the property has sufficient cultural heritage value to be considered a cultural heritage resource that warrants protection under the OHA.

Town Policy – Livable Oakville Plan

Section 5 of the Livable Oakville Plan states, “Conservation of cultural heritage resources forms an integral part of the town’s planning and decision making. Oakville’s cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town’s sense of history, sense of community, identity, sustainability, economic health and quality of life.”

Further, Section 5.3.1 of the Livable Oakville Plan states, “The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms”. The Livable Oakville Plan is clear that cultural heritage resources should not only be conserved, but also incorporated into new developments. Commemoration is not considered ‘conservation’.

As the property at 324 Spruce Street has not been identified as having cultural heritage value or interest through the application of provincial policies such as Ontario Regulation 9/06, it is not required to be conserved through the cultural heritage policies of the Livable Oakville Plan.

Conclusion

Based on staff’s review of the property, including the Cultural Heritage Evaluation Report, the property does not meet at least two criteria of Ontario Regulation 9/06 and therefore does not merit designation under section 29, Part IV of the *Ontario Heritage Act*.

Staff recommends that the owner allow for the salvaging of architectural elements of the building where possible. It is a standard practice to include salvaging as a condition as it allows for the retention and re-use of these materials and keeps these items from going to the landfill.

A separate report regarding this matter was presented to the Heritage Oakville Advisory Committee on June 25, 2024. The Committee supported staff's recommendation to remove the property from the Heritage Register.

CONSIDERATIONS:

(A) PUBLIC

There are no public considerations.

(B) FINANCIAL

There are no financial considerations.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There is no direct impact on other departments and users.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priority of Accountable Government.

(E) CLIMATE CHANGE/ACTION

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. The recommendation to salvage materials from the house helps to contribute to the town's initiatives to reduce carbon footprints.

APPENDICES:

Appendix A – Cultural Heritage Evaluation Report

Appendix B – Structural and Building Engineering Assessment

Prepared by:

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Supervisor, Heritage Conservation

Recommended by:

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Manager, Policy Planning and Heritage

Submitted by:

Gabe Charles, MCIP, RPP
Director, Planning Services

FINAL REPORT:

Heritage Impact Assessment

324 Spruce Street, Town of Oakville, ON



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22 May 2024

Project #LHC0409



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RIGHT OF USE

The information, recommendations and opinions expressed in this report are for the sole benefit of Carrothers and Associates (the 'Client') and the owners of 324 Spruce Street. Any use of this report by others without permission is prohibited and is without responsibility to LHC. The report, all plans, data, drawings and other documents as well as all electronic media prepared by LHC are considered its professional work product and shall remain the copyright property of LHC, who authorizes only the Client and approved users (including municipal review and approval bodies as well as any appeal bodies) to make copies of the report, but only in such quantities as are reasonably necessary for the use of the report by those parties. Unless otherwise stated, the suggestions, recommendations and opinions given in this report are intended only for the guidance of the Client and approved users.

REPORT LIMITATIONS

The qualifications of the heritage consultants who authored this report are provided in Appendix A. All comments regarding the condition of the Property are based on a superficial visual inspection and are not a structural engineering assessment unless directly quoted from an engineering report. The findings of this report do not address any structural or physical condition related issues associated the Property or the condition of any heritage attributes.

Concerning historical research, the purpose of this report is to assess potential cultural heritage value or interest and heritage attributes of the Property. The authors are fully aware that there may be additional historical information that has not been included. Nevertheless, the information collected, reviewed, and analyzed is sufficient to conduct an evaluation using *Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest* and to ascertain heritage attributes. This report reflects the professional opinion of the authors and the requirements of their membership in various professional and licensing bodies.

The review of policy and legislation was limited to that information directly related to cultural heritage management and is not a comprehensive planning review. Additionally, soundscapes, cultural identity, and sense of place analyses were not integrated into this report. A glossary of terms used in the preparation of this report is appended in Appendix B.

EXECUTIVE SUMMARY

The Executive Summary only provides key points from the report. The reader should examine the complete report including background, results as well as limitations.

LHC Heritage Planning & Archaeology Inc. (**LHC**) was retained on 16 October 2023 by Carrothers and Associates, on behalf of the Owner, to complete a Heritage Impact Assessment (**HIA**) for the Property located at 324 Spruce Street (the '**Property**') in the Town of Oakville, Ontario (the '**Town**'). This HIA is being completed as part of complete Notice of Intention to Demolish application.

The Owner is proposing to demolish the existing two-and-a-half storey house on the Property – built between 1912-1924—and replace it with a new two-storey residential building. The Property is listed on the Town of Oakville's *Register of Properties of Cultural Heritage Value or Interest* under Section 27 Part IV of the *OHA*.

In LHC's professional opinion, the Property at 324 Spruce Street **meets** criterion 7 of *O. Reg. 9/06* for its contextual value. Because the Property meets one criterion, the Property exhibits cultural heritage value or interest, but is **not eligible** for individual designation under Section 29 Part IV of the *OHA*.

The proposed demolition of the house will result in the complete destruction of the Property's cultural heritage value or interest. It was determined that, in the context of this project, demolition of the existing building and construction of the proposed new house is preferred. This is because the proposed new house is in keeping with the general character of Spruce Street and is a clear product of its time. The appropriateness of this action is further supported by the condition of the existing house. An engineering report prepared by Carmazan Engineering Inc. identified that major structural adjustments and the repair and replacement of exterior cladding brick and siding is necessary for the existing house. In the context of this project, there is little difference between the replacement of individual materials on the existing building and the replacement of the entire building with sympathetic new construction. Because of the breadth of adjustments that the existing building requires, its integrity is likely to be affected to the same degree as if it were to be replaced with a new building.

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1.0 INTRODUCTION

LHC Heritage Planning & Archaeology Inc. (**LHC**) was retained on 16 October 2023 by Carrothers and Associates, on behalf of the Owner, to complete a Heritage Impact Assessment (**HIA**) for the Property located at 324 Spruce Street (the '**Property**') in the Town of Oakville, Ontario (the '**Town**'). This **HIA** is being completed as part of complete Notice of Intention to Demolish application.

The Client is proposing to demolish the existing two-and-a-half storey house on the Property – built between 1912-1924—and replace it with a new two-storey residential building. The Property is listed on the Town of Oakville's *Register of Properties of Cultural Heritage Value or Interest* under Section 27 Part IV of the *OHA*.

This cultural heritage evaluation was undertaken following guidance from the Town of Oakville's *Development application guidelines: heritage impact assessment* and the *Ontario Heritage Tool Kit* (2006). The process included background research into the site, an on-site assessment, and evaluation of the cultural heritage value of the property based on the criteria of *Ontario Regulation 9/06: Criteria for Determining Cultural Heritage Value or Interest (O. Reg. 9/06)* under the *Ontario Heritage Act (OHA)*.

1.1 Property Location

The Property is located on the southeast side of Spruce Street in the Town of Oakville Ontario. The Property is on Concession 3 South Lot 13 in the geographical Township of Trafalgar. The legal description of the Property is LT 9, PL 121; OAKVILLE (Figure 1).

1.2 Property Description

The Property is a rectangular lot with an approximate area of 675 square metres. It includes a two-and-a-half storey, brick, cedar shake, and clapboard siding clad residential house with influences from the Craftsman Bungalow architectural style (Figure 2).

1.3 Property Owner

Carrothers and Associates is representing the Property's Owner for this project.

1.4 Property Heritage Status

The Property is listed on the Town of Oakville's *Register of Properties of Cultural Heritage Value or Interest* under Section 27 Part IV of the *OHA*.

1.5 Adjacent Heritage Properties

One adjacent property, located at 323 MacDonald Road, is listed on the Town of Oakville's *Register of Properties of Cultural Heritage Value or Interest* under Section 27 Part IV of the *OHA*. The property at 323 Macdonald Road is a rectangular lot with an approximate area of 690 square metres. A two-storey brick and shingle clad residential house with influences from the Colonial Revival and Arts and Crafts architectural styles occupies the property.

Several additional properties listed on the Town of Oakville's *Register of Properties of Cultural Heritage Value or Interest* under Section 27 Part IV of the *OHA* are within 100 metres of the Property, including:

- 311-313 MacDonald Road;
- 351 MacDonald Road;
- 308 Maple Avenue;
- 312 Maple Avenue;
- 395 Reynolds Street;
- 409 Reynolds Street;
- 321 Spruce Street;
- 325 Spruce Street;
- 335 Spruce Street;
- 336 Spruce Street;
- 339 Spruce Street; and,
- 348 Spruce Street.

Adjacent and nearby heritage properties are depicted on Figure 3.



Legend

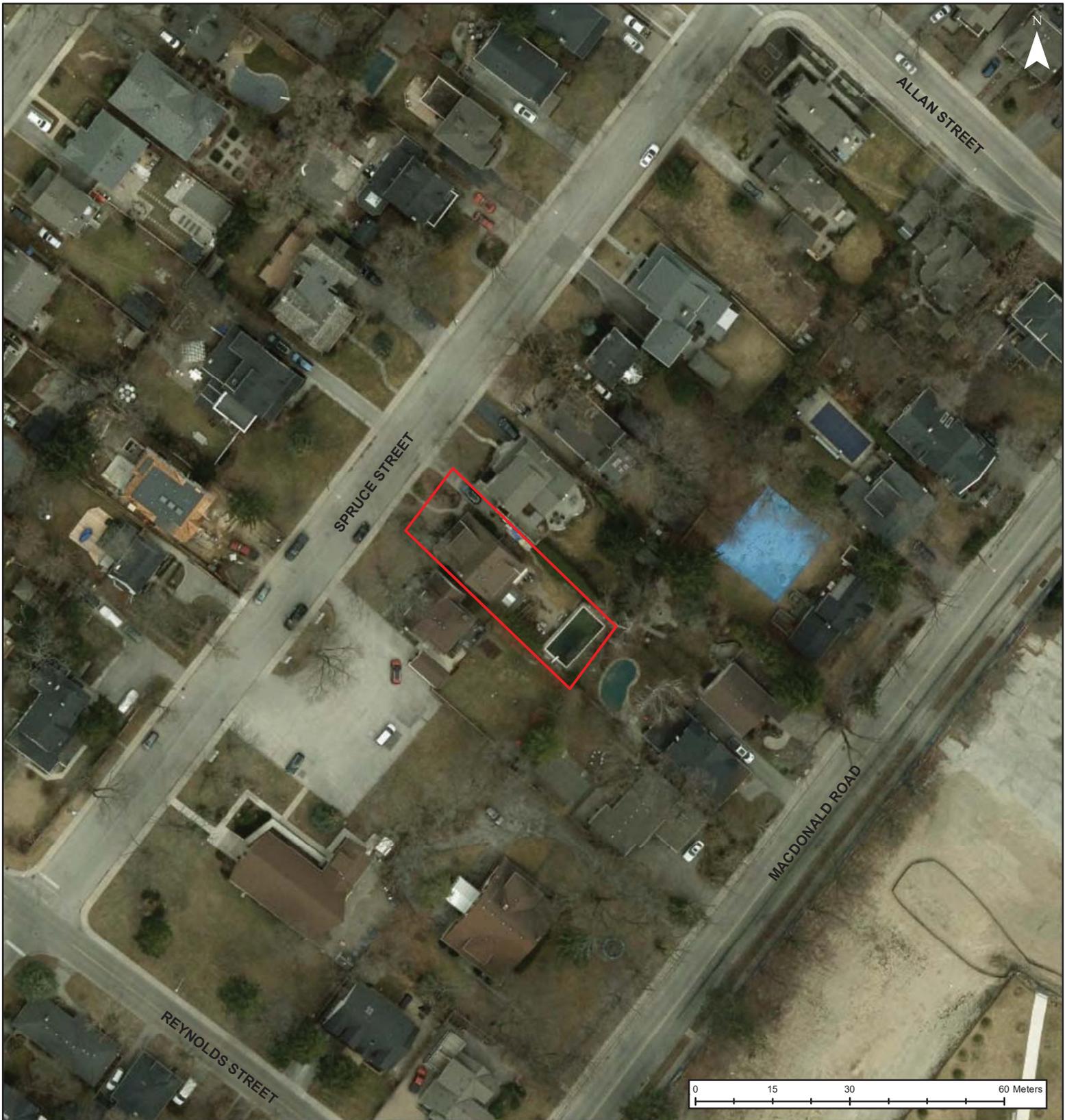
● Property

NOTE(S) 1. All locations are approximate.

REFERENCE(S)
 1. Service Layer Credits: Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
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TITLE Location of the Property	
CLIENT Carrothers and Associates	
PROJECT Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON	
PROJECT NO.	LHC0409
CONSULTANT	YYYY-MM-DD 2023-10-18
	PREPARED LHC
	DESIGNED JG
	FIGURE # 1





Legend

 Property

NOTE(S) 1. All locations are approximate.

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TITLE
 Current Conditions of the Property

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PROJECT PROJECT NO. LHC0409
 Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON

CONSULTANT YYYY-MM-DD 2023-11-30



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DESIGNED JG

FIGURE # 2



Legend

- Property
- Adjacent and Nearby Heritage Properties

NOTE(S) 1. All locations are approximate.

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TITLE
 Adjacent and Nearby Heritage Properties

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 Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON

CONSULTANT YYYY-MM-DD 2023-11-30



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FIGURE # 3

2.0 STUDY APPROACH

LHC follows a three-step approach to understanding and planning for cultural heritage resources based on the understanding, planning and intervening guidance from the Canada's Historic Places *Standards and Guidelines for the Conservation of Historic Places in Canada* and the Ministry of Citizenship and Multiculturalism's (MCM) *Ontario Heritage Tool Kit*.¹

Understanding the cultural heritage resource involves:

- Understanding the significance of the cultural heritage resource (known and potential) through research, consultation and evaluation—when necessary.
- Understanding the setting, context and condition of the cultural heritage resource through research, site visit and analysis.
- Understanding the heritage planning regulatory framework around the cultural heritage resource.

This is consistent with the recommended methodology outlined by the MCM in the *Ontario Heritage Tool Kit: Heritage Property Evaluation*. To evaluate a property for cultural heritage value or interest (CHVI) the MCM identifies three key steps: Historical Research, Site Analysis, and Evaluation.

2.1 Legislation and Policy Review

The HIA includes a review of provincial legislation, plans and cultural heritage guidance, and relevant municipal policy and plans. This review outlines the cultural heritage legislative and policy framework that applies to the Property.

2.2 Historical Research

Historical research for this HIA included local history research. LHC consulted primary and secondary research sources including:

- Local histories;
- Historic maps;
- Aerial photographs; and,
- Online sources about local history.

Online sources consulted included (but was not limited to):

- The Archives of Ontario;
- Library and Archives Canada;

¹ Canada's Historic Places. "Standards and Guidelines for the Conservation of Historic Places in Canada." 2010. Accessed 20 October 2023. <https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf>. p. 3; and Ministry of Citizenship and Multiculturalism, "Heritage Property Evaluation." Ontario Heritage Tool Kit." 2006. <https://www.publications.gov.on.ca/heritage-property-evaluation-a-guide-to-listing-researching-and-evaluating-cultural-heritage-property-in-ontario-communities>. p. 18.

- The Ontario Council of University Libraries, Historical Topographic Map Digitization Project;
- The Canadian County Atlas Digital Project;
- Trafalgar Township Historical Society;
- Oakville Historical Society; and,
- Oakville Public Library.

2.3 Enquiries

LHC contacted Elise Cole, the local collections librarian at the Oakville Public Library, for access to the Town's Fire Insurance Plans. LHC also contacted Saman Goudarzi, the Cartographic Resources Librarian at McMaster University, for access to the Town's Fire Insurance Plans.

2.4 Site Visit

A site visit was conducted on 25 October 2023 by cultural heritage specialist Colin Yu. The purpose of this site visit was to document and gain an understanding of the Property and its surrounding context. The site visit included documentation of the surrounding area and exterior and interior views of the building on the Property. Access to the interior was granted by the Property's owner. Unless otherwise attributed all photographs in this HIA were taken during the site visit. A selection of photographs from the site visit that document the Property are included in section 5.0.

2.5 Evaluation

O. Reg. 9/06 identifies the criteria for determining cultural heritage value or interest under Section 29 of the *OHA* and is used to create a Statement of Cultural Heritage Value or Interest (**SCHVI**). These criteria are used in determining if an individual property has CHVI.

O. Reg. 9/06 has nine criteria:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.²

The Property is assessed against *O. Reg. 9/06* using research and analysis presented in Section 4.0 and 5.0 of this HIA.

This HIA uses guidance from the Town of Oakville's Development application guidelines: heritage impact assessment and the *Ontario Heritage Tool Kit*.

2.6 Evaluation for Heritage Integrity

In a heritage conservation and evaluation context, the concept of integrity is associated with the ability of a property to represent or support the cultural heritage value or interest of the property or to convey its heritage significance. It is understood as the 'wholeness' or 'honesty' of a place or if the heritage attributes continue to represent or support the CHVI of the property. Heritage integrity can be understood through how much of the resource is 'whole', 'complete' changed or unchanged from its original or 'valued subsequent configuration'. Changes or evolution to a place that have become part of its cultural heritage value become part of the heritage integrity, however if the cultural heritage value of a place is linked to another structure or environment that is gone the heritage integrity is diminished. Heritage integrity is not necessarily related to physical condition or structural stability.

The MCM *Ontario Heritage Tool Kit* discusses integrity and physical condition in relation to evaluation. However, heritage integrity and physical condition are not part of the evaluation criteria. They are part of understanding a property and its potential cultural heritage resources.

There are few tools describing a methodology to assess historic integrity. One of the tools comes from the U.S. National Park Service (NPS), which has informed Ontario's practice, and considers heritage integrity a necessary condition of listing on the National Register. The NPS identifies seven aspects of integrity, degrees, and combinations of which can be used to

² Province of Ontario. "Ontario Regulation 9/06: CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST." Last updated 1 January 2023. Accessed 20 October 2023. <https://www.ontario.ca/laws/regulation/060009>. Section 1(2).

determine if a site has heritage integrity. The seven aspects include: Location; Design; Setting; Materials; Workmanship; Feeling; and Association.³

Understanding a place's significance or CHVI helps to identify which aspects of integrity support its heritage value. Furthermore, the heritage integrity of the heritage attributes supports the cultural heritage value or interest of a property. This is an iterative process to evaluate significance and plan appropriate management of a cultural heritage resource.

2.7 Impact Assessment

This HIA is based on guidance from the MCM's *Information Sheet #5: Heritage Impact Assessments and Conservation Plans*.⁴ Information Sheet #5 outlines seven potential negative impacts to be considered with any proposed development or property alteration. The impacts include, but are not limited to:

1. **Destruction** of any part of any significant heritage attribute or features;
2. **Alteration** that is not sympathetic or is incompatible, with the historic fabric and appearance;
3. **Shadows** created that alter the appearance of a heritage attribute or change the viability of a natural feature or planting, such as a garden;
4. **Isolation** of a heritage attribute from its surrounding environment, context, or a significant relationship;
5. **Direct or indirect obstruction** of significant views or vistas within, from, or built and natural features;
6. **A change in land use** such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and,
7. **Land disturbances** such as a change in grade that alters soils, drainage patterns that adversely affect an archaeological resource.

³ National Park Service. "Glossary of Terms: Historic Integrity."
<https://www.nps.gov/subjects/nationalhistoriclandmarks/glossary.htm>.

⁴ Ministry of Citizenship and Multiculturalism. "Heritage Impact Assessments and Conservation Plans, Info Sheet #5." in *Heritage Resources in the Land Use Planning Process: Cultural Heritage and Archaeology Policies of the Ontario Provincial Policy Statement, 2005*, Queen's Printer for Ontario, 2006.

3.0 POLICY AND LEGISLATION CONTEXT

3.1 Provincial Context

In Ontario, cultural heritage is established as a matter of provincial interest directly through the provisions of the *Planning Act*, the *Provincial Policy Statement*, and the *OHA*. Cultural heritage resources are managed under Provincial legislation, policy, regulations, and guidelines. Other provincial legislation deals with cultural heritage indirectly or in specific cases. These various acts and the policies under these acts indicate broad support for the protection of cultural heritage by the Province. They also provide a legal framework through which minimum standards for heritage evaluation are established.

This HIA is part of a process under the *OHA* and only relevant information from the *OHA* are outlined here. See Appendix C for a broad overview of Provincial, Regional, and Local legislation and policy regarding the identification and evaluation of cultural heritage. This section focusses specifically on legislation and policy related to the evaluation of the Property, its status as a Section 27 Part IV *listed* heritage property under the *OHA*, its eligibility for individual designation under Section 29 Part IV under the *OHA*, and its proposed demolition.

3.1.1 Ontario Heritage Act, R.S.O. 1990, c. O.18

The *Ontario Heritage Act, R.S.O. 1990, c O.18 (Ontario Heritage Act or OHA)* (consolidated on 4 December 2023) enables the provincial government and municipalities powers to conserve, protect, and preserve the heritage of Ontario. The *OHA* is administered by a member of the Executive Council (provincial government cabinet) assigned to it by the Lieutenant Governor in Council. At the time of writing, the *OHA* is administered by the MCM.⁵

Part I (2) of the *OHA* enables the Minister to determine policies, priorities, and programs for the conservation, protection, and preservation of the heritage of Ontario. The *OHA* gives municipalities power to identify and conserve individual properties, districts, or landscapes of cultural heritage value or interest.⁶ Section 27 (1) of the *OHA* requires the clerk of a municipality to keep a register of properties in that municipality that are of cultural heritage

⁵ Since 1975 the Ontario ministry responsible for culture and heritage has included several different portfolios and had several different names and may be referred to by any of these names or acronyms based on them:

- Ministry of Culture and Recreation (1975-1982),
- Ministry of Citizenship and Culture (1982-1987),
- Ministry of Culture and Communications (1987-1993),
- Ministry of Culture, Tourism and Recreation (1993-1995),
- Ministry of Citizenship, Culture and Recreation (1995-2001),
- Ministry of Tourism, Culture and Recreation (2001-2002),
- Ministry of Culture (2002-2010),
- Ministry of Tourism, Culture and Sport (2011-2019),
- Ministry of Heritage, Sport, Tourism, and Culture Industries (2019-2022),
- Ministry of Tourism, Culture and Sport (2022),
- Ministry of Citizenship and Multiculturalism (2022-present).

⁶ Province of Ontario. "Ontario Heritage Act, R.S.O. 199, c. O.18." Last modified 4 December 2023. Accessed 20 October 2023. <https://www.ontario.ca/laws/statute/90o18>.

value or interest. Regulations under the *OHA* set minimum standards for the evaluation of heritage resources in the province and *O. Reg. 9/06* includes criteria for determining cultural heritage value or interest.

The register of property that is of cultural heritage value or interest –called the Heritage Property Register in Oakville—can include *listed* properties under Section 27(3) and *designated* properties under Section 29(1).

Under Section 27 (9), a property owner must not demolish or remove a building or structure from a property *listed* on the municipal heritage register unless they give council at least 60 days notice in writing. Under Section 27 (11), council may require plans and other information to be submitted with this notice. A HIA may be required.

Under Section 27 (14), a property added to the register before, on, or after 1 January 2023 shall be removed from the register by the municipality if a notice of intention to designate under Section 29 Part IV has been issued and if any of the following exist:

1. The council of the municipality withdraws the notice of intention under subsection 29 (7).
2. The council of the municipality does not withdraw the notice of intention, but does not pass a by-law designating the property under subsection 29 (1) within the time set out in paragraph 1 of subsection 29 (8).
3. The council of the municipality passes a by-law designating the property under subsection 29 (1) within the time set out in paragraph 1 of subsection 29 (8), but the by-law is repealed in accordance with subclause 29 (15) (b) (i) or (iii).⁷

Section 27 (15) identifies that if council does not issue a notice of intention to designate a property on the register within two years of its listing, it shall be removed from the register. Additionally, properties *listed* on the register prior to 31 December 2022 shall be removed on or before 1 January 2025 if a notice of intention to designate is not prepared. If a property is required to be removed from the register, it cannot be re-added for a period of five years.

The 60-day notice period for demolition is intended to give municipal council time to determine if a *listed* property should be designated under Section 29 of the *OHA*. Section 29(1)(a) requires prescribed criteria be used to determine if a property is of CHVI. The prescribed criteria are found in *O. Reg. 9/06*.

O. Reg. 9/06 as amended by *O. Reg. 569/22* – in force and effect 1 January 2023 – identifies nine criteria for determining CHVI under Section 29 Part IV of the *OHA* and is used to create a Statement of Cultural Heritage Value or Interest (see Section 2.5). If a property meets one or more of the criteria, a municipality may *list* the property on its heritage register pursuant to Section 27 (3). If a property meets two or more of the criteria, a municipality may pursue individual designation, pursuant to Section 29 (1). If a property has been determined to meet

⁷ Province of Ontario. "Ontario Heritage Act, R.S.O. 199, c. O.18." Section 27 (14).

two or more of the criteria, and the decision is made to pursue designation, Section 29 of the *OHA* prescribes the process by which a designation must occur.

3.2 Regional and Local Context

3.2.1 Halton Region Official Plan (Consolidated November 2022)

The *Halton Region Official Plan (ROP)* was first adopted by the Council of the Regional Municipality of Halton on 30 March 1995 under by-law 49-94 and was most recently consolidated in November 2022.

Policies related to the evaluation and conservation of cultural heritage resources are outlined in Part IV of the *ROP*. In general, the management of cultural heritage resources is the responsibility of local area municipalities.⁸

3.2.2 Livable Oakville: Town of Oakville Official Plan (2009 Updated August 2021)

The *Livable Oakville: Town of Oakville Official Plan (OP)* was adopted by the Council of the Corporation of the Town of Oakville on 22 June 2009 under by-law 2009-112, approved by the Regional Municipality of Halton on 30 November 2009, and most recently consolidated to 31 August 2021. The *OP* guides growth and development in the Town of Oakville until 2051.⁹ Guiding principles include the preservation, enhancement, and protection of “...distinct character, cultural heritage, living environment, and sense of community of neighbourhoods” in the Town.¹⁰

Policies related to cultural heritage are outlined in Section 5 of Part C in the *OP*. Policies most relevant to Property, in the context of this HIA, are identified in Table 1.

⁸ Halton Region. “Official Plan.” Last consolidated November 2022. Accessed 20 October 2023. <https://www.halton.ca/Repository/ROP-Office-Consolidation-Text>.

⁹ Town of Oakville. “Livable Oakville: Town of Oakville Official Plan.” Last consolidated 31 August 2021. Accessed 20 October 2023. <https://www.oakville.ca/getmedia/ef94282b-3d17-49b9-8396-3e671d8b7187/business-development-planning-livable-oakville-official-plan.pdf>.

¹⁰ Town of Oakville. “Livable Oakville: Town of Oakville Official Plan.” B-1.

Table 1: Relevant Cultural Heritage Policies from the *OP*.¹¹

Policy #	Policy Text	Comments
5.3.1	The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms.	This HIA has been prepared for the Town to meet its requirements of a Notice of Intent to Demolish application.
5.3.2	A cultural heritage resource should be evaluated to determine its cultural heritage values and heritage attributes prior to the preparation of a heritage impact assessment of a proposed development on the cultural heritage resource.	This HIA has been prepared to evaluate the Property's cultural heritage value(s) and identify a list of heritage attributes.

3.2.3 Regional and Local Context Summary

The Region and Town have acknowledged the identification and conservation of cultural heritage resources as important processes. Accordingly, the Region has identified the need for cultural heritage resource evaluations and the Town has developed guidelines for the management of built heritage resources and cultural heritage landscapes.

¹¹ Town of Oakville. "Livable Oakville: Town of Oakville Official Plan." C-12 – C-13.

4.0 HISTORIC CONTEXT

4.1 Early Indigenous History

4.1.1 Paleo Period (9500 – 8000 BCE)

The cultural history of southern Ontario began around 11,000 years ago following the retreat of the Laurentide Ice Sheet at the end of the Wisconsinian glacial stage.¹² During this archaeological period, known as the Paleo period (9500-8000 BCE), the climate was similar to the present-day sub-arctic and vegetation was largely spruce and pine forests.¹³ The initial occupants of the province had distinctive stone tools. They were nomadic big-game hunters (i.e., caribou, mastodon, and mammoth) who lived in small groups and travelled over vast areas, possibly migrating hundreds of kilometres in a single year.¹⁴

4.1.2 Archaic Period (8000 – 1000 BCE)

During the Archaic archaeological period (8000-1000 BCE) the occupants of southern Ontario continued their migratory lifestyles, although living in larger groups and transitioning towards a preference for smaller territories of land – possibly remaining within specific watersheds. People refined their stone tools during this period and developed polished or ground stone tool technologies. Evidence of long-distance trade has been found on archaeological sites from the Middle and Later Archaic times; including items such as copper from Lake Superior, and marine shells from the Gulf of Mexico.¹⁵

4.1.3 Woodland Period (1000 BCE – CE 1650)

The Woodland period in southern Ontario (1000 BC–AD 1650) represents a marked change in subsistence patterns, burial customs and tool technologies, as well as the introduction of pottery making. The Woodland period is sub-divided into the Early Woodland (1000–400 BC), Middle Woodland (400 BC–AD 500) and Late Woodland (AD 500-1650). During the Early and Middle Woodland, communities grew in size and were organized at a band level. Subsistence patterns continued to be focused on foraging and hunting. There is evidence for incipient horticulture in the Middle Woodland as well as the development of long-distance trade networks.

Woodland populations transitioned from a foraging subsistence strategy towards a preference for agricultural village-based communities around AD 500–1000. It was during this period that corn (maize) cultivation was introduced into southern Ontario. Princess Point Complex (AD

¹² Karrow, P.F. and B.G. Warner. "The Geological and Biological Environment for Human Occupation in Southern Ontario". In *The Archaeology of Southern Ontario to A.D. 1650*, ed. Christopher Ellis and Neal Ferris (London, ON: Ontario Archaeological Society, London Chapter, 1990). 15.

¹³ Toronto Region Conservation Authority. "Chapter 3: First Nations." in *Greening Our Watersheds: Revitalization Strategies for Etobicoke and Mimico Creeks*, prepared by the Toronto Region Conservation Authority (Toronto, ON, 2001).

¹⁴ Smith, D.S. "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I." n.d. Accessed online 21 August 2023. <http://www.oakville.ca/culturerec/is-firstnations.html>.

¹⁵ Smith, D.S. "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part II."

500–1000) sites provide the earliest evidence of corn cultivation in southern Ontario. Large Princess Point village sites have been found west of Oakville, at Coote’s Point, and east of Oakville, in the Credit River valley; however, none have been found within Oakville.

The Late Woodland period is divided into three distinct stages: Early Iroquoian (AD 1000–1300); Middle Iroquoian (AD 1300–1400); and Late Iroquoian (AD 1400–1650). The Late Woodland is generally characterised by an increased reliance on cultivation of domesticated crop plants, such as corn, squash, and beans, and a development of palisaded village sites which included more and larger longhouses. These village communities were commonly organized at the tribal level; by the 1500s, Iroquoian communities in southern Ontario – and northeastern North America, more widely – were politically organized into tribal confederacies. South of Lake Ontario, the Five Nations Iroquois Confederacy comprised the Mohawk, Oneida, Onondaga, Cayuga, and Seneca, while Iroquoian communities in southern Ontario were generally organized into the Petun, Huron and Neutral Confederacies. Present-day Oakville is located in a transitional or frontier territory between the Neutral and Huron.

During this period, domesticated plant crops were supplemented by continued foraging for wild food and medicinal plants, as well as hunting, trapping, and fishing. Camp sites from this period are often found in similar locations (if not the same exact location) to temporary or seasonal sites used by earlier, migratory southern Ontario populations. Village sites themselves were periodically abandoned or rotated as soil nutrients and nearby resources were depleted; a typical cycle for village site may have lasted somewhere between 10 and 30 years.¹⁶ A number of late Woodland village sites have been recorded along Bronte (Twelve Mile) Creek.

4.2 Seventeenth- and Eighteenth-Century Historic Context (1600s and 1700s)

When French explorers and missionaries first arrived in southern Ontario during the first half of the 17th century, they encountered the Huron, Petun and – in the general vicinity of Oakville – the Neutral. The French brought with them diseases for which the Iroquois had no immunity, contributing to the collapse of the three southern Ontario Iroquoian confederacies. Also contributing to the collapse and eventual dispersal of the Huron, Petun, and Neutral, was the movement of the Five Nations Iroquoian Confederacy from south of Lake Ontario. Between 1649 and 1655, the Five Nations waged war on the Huron, Petun, and Neutral, pushing them out of their villages and the general area. As the Five Nations moved across a large hunting territory in southern Ontario, they began to threaten communities further from Lake Ontario, specifically the Ojibway (Anishinaabe). The Anishinaabe had occasionally engaged in military conflict with the Five Nations over territories rich in resources and furs, as well as access to fur trade routes; but in the early 1690s, the Ojibway, Odawa and Patawatomi, allied as the Three Fires, initiated a series of offensive attacks on the Five Nations, eventually forcing them back to the south of Lake Ontario. Oral tradition indicates that the Mississauga played a key role in the Anishinaabe attacks against the Iroquois. A large group of Mississauga established themselves

¹⁶ Smith, D.S. “The Native History of the Regional Municipality of Halton and the Town of Oakville: Part III.”

in the area between present-day Toronto and Lake Erie around 1695, the descendants of whom are the Mississaugas of the New Credit First Nation.¹⁷

Throughout the 18th century, the Mississaugas who settled in between Toronto and Lake Erie were involved in the fur trade. Although they did practice agriculture of domesticated food crops, they continued to follow a seasonal cycle of movement for resource harvesting. Families were scattered across the wider hunting territory during winter months, hunting deer, small game, birds and fur animals. In spring, groups moved to sugar bushes to harvest sap prior to congregating at the Credit River.¹⁸ The Credit River was an important site in the spring for Salmon and was also the location where furs and pelts were brought to trade.

4.3 Trafalgar Township Survey and Early Euro-Canadian Settlement

Survey of Trafalgar Township (historic Halton County) began with Dundas Street, in 1793, which came to serve as an important and strategic military transportation route between York (Toronto) and the lakehead at Dundas (Hamilton).¹⁹ On 2 August 1805, Treaty 14 (Head of the Lake) was signed with the Mississaugas ceding to the Crown a strip of land along the lake about six miles wide from the Etobicoke Creek to the North West Line, a distance of about 20 miles (Figure 4).²⁰ However, the Mississaugas reserved sole rights of fishery in the Credit River, and one mile on the flat or low grounds on each side of the Bronte (Twelve Mile) and Sixteen Mile creeks, the Etobicoke River, and the flat or low grounds of these riverine areas for camps, fishing and cultivation.²¹

Deputy Provincial Surveyor Samuel S. Wilmot surveyed the County of Halton, including Trafalgar Township, in 1806, using Dundas Street as a baseline.²² Dundas Street through Trafalgar Township had been partially cleared by 1800 and the first lots to be granted to settlers were along this route. Two concessions were laid out parallel to the north of Dundas (i.e., Burnhamthorpe Road which was known as Base Line Road until 1968) and to the south from the lakeshore to the base line.²³ It was divided into three townships, Toronto, Trafalgar, and Nelson.²⁴

European settlers continued to move into Trafalgar Township with a survey in 1806. On 28 October 1818, Treaty 19 (Ajetance Treaty) was signed and a block of land between the 2nd Concession above Dundas Street to what is now Highway 9, and from the Etobicoke to the

¹⁷ Smith, D.S. "The Native History of the Regional Municipality of Halton and the Town of Oakville: Part I."

¹⁸ The name for the Credit River and by extension the Mississaugas of the Credit, derives from the practice of French, and later English, traders providing credit to the Mississaugas at that river location.

¹⁹ Oakville Historical Society. "Our Town." Accessed 23 October 2023. <https://www.oakvillehistory.org/our-town.html>.

²⁰ Duric, D. "Head of the Lake, Treaty No. 14 (1806)," MCFN, Treaty Lands & Territory. Last modified 28 May 2017. Accessed 23 October 2023. <http://mncfn.ca/head-of-the-lake-purchase-treaty-14/>.

²¹ Halton Women's Institute. "A History and Atlas of the County of Halton." n.d. Accessed 23 October 2023. 2-10.

²² Oakville Historical Society. "Our Town."

²³ Halton Women's Institute. "A History and Atlas of the County of Halton."

²⁴ Oakville Historical Society. "Our Town."

North West Line from Burlington was purchased for an annual amount of goods (Figure 4). The lands acquired in Treaty 19 were referred to as the 'New Survey' in Trafalgar Township.²⁵

Dundas Street served as the main east-west transportation and trade route in the area for goods. A number of villages developed along Dundas Street.²⁶

In February 1820 William Claus orchestrated the sale of three reserves of land at Twelve Mile Creek, Sixteen Mile Creek, and the Credit River from Mississaugas of the Credit to the Crown. The sale was enabled through Treaty 22.²⁷ On 16 August 1827, a sale was held of the Mississauga holdings at the mouth of the Sixteen Mile Creek amounting to 960 acres.²⁸

²⁵ Duric, D. "Ajetance Treaty, No. 19 (1818)," MCFN, Treaty Lands & Territory. Last modified 28 May 2017. Accessed 23 October 2023. <http://mncfn.ca/treaty19/>; and Province of Ontario. "Map of Ontario treaties and reserves." Last modified 23 October 2023. Accessed 23 October 2023. <https://www.ontario.ca/page/map-ontario-treaties-and-reserves#treaties>.

²⁶ Langlands, E. "Bronte Creek Provincial Park Historical Report." Ministry of Natural Resources. 1972. 17.

²⁷ Duric, D. "12 Mile Creek, 16 Mile Creek, and Credit River Reserves – Treaty No.s 22 and 23 (1820)." MCFN, Treaty Lands & Territory. Last modified 28 May 2017. Accessed 23 October 2023. <http://mncfn.ca/treaty2223/>.

²⁸ Halton Women's Institute. "A History and Atlas of the County of Halton." 2-10.

TITLE
1806 (June 18), 1806 (June 28), 1858, and 1877
Nineteenth Century Maps Showing the Property

CLIENT
Carrothers and Associates

PROJECT
PROJECT NO. LHC049
Cultural Heritage Evaluation Report, 324 Spruce
Street, Town of Oakville, ON

Legend
 Property



NOTES 1. All locations are approximate.

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 1. Wilmet, S.J., "Trafalgar District of Gore Parish", digitized map, scale 1:31,680.
 2. Wilmet, S.J., "Trafalgar Plan of the Second Township in the tract of Land lately Purchased from the Mississauga Indians", (https://images.ourontario.ca/Partner/71HS/TH600027931981.jpg, accessed 26 October 2023), digitized map, scale 1:31,680.
 3. Wilmet, S.J., "Map of the County of Upper Canada West", (https://maps.library.utoronto.ca/geo/county/upper/ahab/ahab02.jpg, accessed 26 October 2023), digitized map, scale 1:31,680.
 4. Pope, J.H., "Township of Trafalgar South", in: "Illustrated Historical Atlas of the County of Huron Ont.", (https://digital.library.mcgill.ca/countyatlas/countyatlas/countyatlas/ahab/ahab02.jpg, accessed 26 October 2023), digitized map, scale 1:31,680.
 5. Walker & Miles, 1877.
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 FIGURE # 4

4.4 Town of Oakville History

Euro-Canadian settlers moved to the area that would become the Town of Oakville in the mid-to-late 1820s following the signing of Treaty 22 in 1820 (see Section 4.3). The person attributed with the establishment and development of Oakville was William Chisholm, who had lived in Nelson Township beginning in the early 19th century. His Loyalist parents, Thomas and Elizabeth, came to Nova Scotia and then to Upper Canada where Thomas purchased land on the North Shore of Burlington Bay. William Chisholm saw the possibilities of building a harbour at the mouth of the Sixteen Mile Creek for the purpose of shipping oak staves, lumber, grain and other products. The shipment of oak staves on a large scale was profitable as barrels were in great demand in both Canada and the United States for transporting produce of every description.²⁹

William Chisholm purchased 960 acres of land from the Crown, and as planned, developed the town around a harbour at the mouth of Sixteen Mile Creek. Chisholm created the harbour with dredging and the construction of piers creating the historic core of present-day Oakville. In doing so, he developed what would eventually become Oakville. Chisholm worked in shipping and milling and passed away in 1842, at which time the principal centres of commerce for farms in Trafalgar County were Oakville and Bronte to the south and Milton to the north.³⁰ Following his death, Chisholm's land was sold off, with any unsold land transferred to his son, Richard Kerr Chisholm, who continued to develop the town. Oakville's lakefront port experienced an economic boom in the 1840s as goods from the interior travelled along Dundas Street to the harbour.³¹ Oakville's main exports from the 1840s-1850s were pine boards, oak and pine timber, whiskey, flour, oats, peas, and wheat.³²

Between 1835 to 1867, Oakville's lakefront ports developed and expanded to service the interior export boom. This period has been considered one of the most important in Ontario's agricultural history.³³ Between 1851 and 1856 exports of agriculture increased 280% while population increased 44% a situation not surpassed by the mechanization of agriculture 100 years later.³⁴ Following a crash in wheat prices in 1857, fruit—in particular, strawberries—began to be farmed commercially in Trafalgar Township. By 1870, the Oakville area had more than 300 acres of strawberries and orchards were thriving in other parts of the township. The 1877 Historical Atlas identified Oakville as the “greatest strawberry growing district in the Dominion.” Among the early strawberry growers were John Cross, J. Hagaman, John A. Chisholm, W.H. Jones, Captain W.B. Chisholm, E. Skelly, J.T. Howell, and A. Mathews.

²⁹ Lewis, W. “Chisholm, William.” in Dictionary of Canadian Biography, vol. 7, University of Toronto/Université Laval, 2003–, accessed October 25, 2023, http://www.biographi.ca/en/bio/chisholm_william_7E.html.

³⁰ Halton Women's Institute. “A History and Atlas of the County of Halton.” 2-10.

³¹ Mathews, H. “Oakville and the Sixteen: The History of an Ontario Port.” (Toronto: University of Toronto Press, 1953), 194-95.

³² Smith, W.H. “Canada, Past, Present, and Future being a Historical, Geographical, and Statistical Account of Canada West.” Volume 1 (Toronto: T. Maclear, 1851). 26.

³³ Langlands. “Bronte Creek Provincial Park Historical Report.” 1972. 28.

³⁴ Langlands. “Bronte Creek Provincial Park Historical Report.” 1972. 28.

As this burgeoning fruit industry led to the need for baskets, John Cross set up a factory to produce baskets, of wood veneer fastened with strips of punched tin, in the winter months. Following suit, John A. Chisholm began producing baskets on his farm. His sons bought a second factory in 1874, the former Victoria Brewery. The Chisholm's basket factory was purchased in the 1880s by Pharis Doty and Son and moved. It was owned by the Oakville Basket Company in 1893 when it burned down and was quickly rebuilt. The 1877 map of Trafalgar South illustrates the prevalence of apple-growing in the rural areas surrounding the Town of Oakville – including in the vicinity of the Property (Figure 4).

During this period, the Toronto and Hamilton Branch of the Great Western Railway cut through the county in 1855 on an east-west course north of Oakville and Bronte, and a Grand Trunk Line through the north to Georgetown in 1856. These railways undermined the economic foundations of the lakefront ports and shipping industries as rail became the major means of transportation to Toronto and beyond.³⁵ The inland villages which serviced rural farms, remained stable into the early 20th century until technological developments in transportation and industry displaced these small crossroads communities.

Beginning in the 1850s, Oakville started to evolve into a resort town for excursionists, who arrived on steamers to take advantage of the waterfront for recreation. The role of the harbour evolved as Oakville transformed into a year-round resort town. Amenities were established along the lakefront to support the growing tourist trade, including hotels and boat rentals. Shipyards which had been established to support the shipping industry began producing pleasure craft and by 1871 none of Oakville's shipyards were producing steam vessels or barges. Captain James Andrew, who had been building commercial craft since 1861, began constructing racing and pleasure yachts. He set up his own shipyard on the west bank of the Sixteen Mile Creek in 1887, to take advantage of the growing demand from wealthy private citizens. One of his vessels built in 1896, the *Canada*, won the first "Canada's Cup."

Oakville was established as a cottage region along the lake shore on both sides of the mouth of the Sixteen Mile Creek by the 1920s. The area along Lakeshore Road, east of the Town centre became the location of a number of large summer estates with large homes, stables, and elaborately landscaped grounds constructed in the between 1900 and 1930 for wealthy businessmen; so much so, that the lakefront became known as Millionaire's Row.³⁶ Some remaining estate properties of note in the vicinity of the subject Property include: Dearcroft Montessori School at 1167 Lakeshore Road East; Ballymena Estate at 1198-1208 Lakeshore Road East; Grenvilla Lodge at 1248-1250 Lakeshore Road East; Gairloch Gardens at 1288-1306 Lakeshore Road East; and, Ennisclare at 40 Cox Drive.

³⁵ Mathews, H. "Oakville and the Sixteen: The History of an Ontario Port." (Toronto: University of Toronto Press, 1953), 334 and 463: cited in Langlands, 29.

³⁶ Casas, T. "Paving the Way to Paradise." 2013. Accessed 25 October 2023. <https://teresa.cce.com/wp-content/uploads/2013/10/Paving-word-October-14-2013.pdf>. p. 8 and Oakville Images. "A History of Oakville: Our Beautiful Town by the Lake, Lifestyle." Accessed 25 October 2023. <http://images.oakville.halinet.on.ca/202/Exhibit/7>.

With the increase in automobile traffic following the Second World War, and the continued growth of Oakville, the landscape was dramatically altered. The expansion of the Queen Elizabeth Way and construction of Highway 401 in the early 1950s resulted in the loss of buildings in the inland service villages. The southern portion of the Township of Trafalgar was amalgamated with the Town of Oakville in 1962.³⁷

4.5 Property History

4.5.1 Concession 3 South of Dundas Street Lot 13

Concession 3 South of Dundas Street Lot 13 was created following the signing of Treaty 14 and was surveyed by Samuel L. Wilmot. Two maps prepared by Wilmot, one on 18 June 1806 and one on 28 June 1806, depict that the property had not been subdivided or developed. The earlier map does, however, reveal that the property was a Clergy Reserve (Figure 4). Clergy Reserves, as prescribed under the 1791 *Constitutional Act* (also referred to as the ‘*Canada Act*’), guaranteed that one-seventh of land in Upper Canada and Lower Canada’s public land would be held for the maintenance of the Protestant clergy. When the Lower Canada’s government ceased providing free land grants in the early 1820s, Clergy Reserve land began being sold.³⁸

The Crown Patent for the property was issued on 25 March 1831 to William Chisholm – the founder of Oakville (see Section 4.4).³⁹ Following William Chisholm’s death on 4 May 1842, the property was released to George King Chisholm via a deed poll on 13 December 1845.⁴⁰ George K. Chisholm was William Chisholm’s second eldest surviving son, born in 1814. Like his father, George K. Chisholm was involved in politics and served as the Serjeant-at-Arms at the Province of Ontario’s Legislative Assembly and as the first mayor of the Town of Oakville following its incorporation in 1857. George K. Chisholm was also involved in the military, serving as a captain in the 2nd Regiment of Gore militia and as lieutenant-colonel of the 1st Battalion of Halton.⁴¹

On 8 February 1854, the ‘rear ½’ of Concession 3 South of Dundas Street Lot 13 was issued to Robert Kerr Chisholm via a quit claim deed.⁴² Robert K. was William Chisholm’s third eldest surviving son, born in 1819.⁴³ Robert K. Chisholm held various civil roles in Oakville, serving as postmaster, collector of customs, and lightkeeper.⁴⁴ Robert K. Chisholm subsequently sold

³⁷ Langlands. “Bronte Creek Provincial Park Historical Report.” 1972. 86-87.

³⁸ Fahey, C. “Clergy Reserves.” *Canadian Encyclopedia*. Last edited 4 March 2015. Accessed 30 November 2023. <https://www.thecanadianencyclopedia.ca/en/article/clergy-reserves>.

³⁹ Land Registry Office 20 [LRO 20]. “Abstract/Parcel Register Book, HALTON COUNTY (20), TRAFALGAR, Book 28, CONCESSION 3; SOUTH OF DUNDAS STREET; LOT 10 TO 14.” Instrument No. Patent. <https://www.onland.ca/ui/20/books/23272/viewer/151197832?page=207>.

⁴⁰ Lewis, W. “Chisholm, William.”; LRO 20. Book 28. Instrument No. 350 P.

⁴¹ Mathews, H.C. “Chisholm, George King.” in *Dictionary of Canadian Biography, vol. 10*, University of Toronto/Université Laval, 2003–, accessed October 25, 2023, http://www.biographi.ca/en/bio/chisholm_george_king_10E.html.

⁴² LRO 20. Book 28. Instrument No. 529 B.

⁴³ Geneanet Community Trees Index. “William Mckenzie Chisholm.” Accessed 25 October 2023. <https://www.ancestry.ca/discoveryui-content/view/4333527340:62476>.

⁴⁴ Canadian Civil Servants List. “The Civil Service List of Canada, 1885-1900 (all as of 1st July), CIHM 46477-46492, Fiche 1-3 in each year.” Accessed October 30, 2023. <https://www.ancestry.ca/discoveryui->

sections of the property to the Hamilton and Toronto Railway on 1 July 1856, George K. Chisholm on 11 September 1856, John Alexander Chisholm (another of William Chisholm's sons and a farmer) on 7 April 1857, John Williams on 6 May 1858, and James Brown on 18 October 1858.⁴⁵ By the time these transactions occurred, Robert K. Chisholm's property was referred to as the 'northwest half' of Concession 3 South of Dundas Street Lot 13 as opposed to the 'rear half' of Concession 3 South of Dundas Street Lot 13. A map of Oakville from 1858 identifies John Alexander Chisholm as the owner of a sizable portion of the northwest section of the property. The 1858 map also shows Trafalgar Road, Reynolds Street, and Allen Street extending north to Spruce Street, which at the time was the part of the northmost part of the Town. No indications of development are present on Spruce Street between Reynolds Street and Allen Street at the time (Figure 4).

On 23 March 1859, Robert K. Chisholm was the grantee of nine quit claim deeds from various parties for the 'northerly half' of Concession 3 South of Dundas Street Lot 13.⁴⁶ That same day, Robert K. Chisholm granted the property described as 'part of nw½ except railway' to George K. Chisholm and John A. Chisholm (the same two parties identified previously).⁴⁷ Robert K. Chisholm apparently retained part of the property, as he subsequently sold an additional parcel to Robert Bulmer (or 'Balmer') on 22 January 1859.⁴⁸ Bulmer was likely born in Scotland and was the Town's postmaster.⁴⁹ Bulmer subsequently sold the property described as "part of nw½ except railway & lots" back to Robert K. Chisholm on 9 January 1865.⁵⁰

On 20 August 1868, Robert K. Chisholm sold part of the northwesterly half of Concession 3 South of Dundas Street Lot 13 to William B. Chisholm and Charles P. Chisholm.⁵¹ William B. and Charles P. Chisholm were John A. Chisholm's eldest sons.⁵² The 1881 census reveals that

content/view/2550:1275?tid=&pid=&queryId=e9da0ebe0de4a59a01ee50660e071a66&_phsrc=hwK96&_phstart=successSource; Library and Archives Canada. "Census of Canada, 1871: Oakville, Halton, Ontario; Roll: C-9956; Page: 3; Family No: 11." Accessed 25 October 2023. https://www.ancestry.ca/discoveryui-content/view/1376266:1578?tid=&pid=&queryId=e9da0ebe0de4a59a01ee50660e071a66&_phsrc=hwK97&_phstart=successSource

⁴⁵ Library and Archives Canada. "Census of Canada, 1881: Oakville, Halton, Ontario; Image No. e008190837." Accessed 25 October 2023. <https://recherche-collection-search.bac-lac.gc.ca/eng/home/record?app=census&IdNumber=19929954>; LRO 20. Book 28. Instrument No. 428 C; LRO 20. Book 28. Instrument No. 469 C; LRO 20. Book 28. Instrument No. 678 C; 578 A.

⁴⁶ LRO 20. Book 28. Instrument No. 179 D; LRO 20. Book 28. Instrument No. 180 D; LRO 20. Book 28. Instrument No. 181 D; LRO 20. Book 28. Instrument No. 182 D; LRO 20. Book 28. Instrument No. 183 D; 184 D; LRO 20. Book 28. Instrument No. 185 D; LRO 20. Book 28. Instrument No. 186 D; LRO 20. Book 28. Instrument No. 187 D.

⁴⁷ LRO 20. Book 28. Instrument No. 189 D; LRO 20. Book 28. Instrument No. 190 D.

⁴⁸ LRO 20. Book 28. Instrument No. 374 D.

⁴⁹ Library and Archives Canada. "Census of Canada, 1881: Oakville, Halton, Ontario; Image No. e008190895." Accessed 25 October 2023. <https://recherche-collection-search.bac-lac.gc.ca/eng/home/record?app=census&IdNumber=19932811>.

⁵⁰ LRO 20. Book 28. Instrument No. 10 B.

⁵¹ LRO 20. Book 28. Instrument No. 238 B.

⁵² Library and Archives Canada. "Census of Canada, 1871: Oakville, Halton, Ontario; Image No. 4396685_00154." Accessed 25 October 2023. <https://recherche-collection-search.bac-lac.gc.ca/eng/home/record?app=census&IdNumber=41814581>.

William B. Chisholm was a manufacturer and Charles P. Chisholm was a farmer.⁵³ An 1877 map showing Oakville does not clarify the property's ownership; however, it shows that the south edge of Spruce Street was part of the northmost subdivision in the Town at the time. The property was part of Registered Plan 1 Block D which was bounded by Allan Street to the northeast, Division Street (now MacDonald Road) to the southeast, Reynolds Street to the southwest, and Spruce Street to the northeast. No development is depicted on the property (Figure 4).

Although it is unclear specifically how she acquired ownership of part of Concession 3 South of Dundas Street Lot 13, Sarah Pettit Chisholm, John A. Chisholm's widow, deeded 39 60/100-acres of Lot 12 and 13 to John A. Chisholm on 21 March 1892. John A. Chisholm was the youngest son of John A. Chisholm and Sarah Pettit Chisholm.⁵⁴ Shortly thereafter, on 15 December 1892, John A. Chisholm deeded the property back to Sarah Pettit Chisholm.⁵⁵ Albeit unclear how based on land registry documents, the property deeded to Sarah Pettit came under the ownership of Emelda B. Chisholm.⁵⁶ Emelda Chisholm (née Beeler) was John A. Chisholm's wife.⁵⁷ On 6 April 1898, Emelda B. Chisholm deeded part of Lot 13 (and 14, 15, 16) to Arthur Chisholm.⁵⁸ Arthur Chisholm was the son of George K. Chisholm, and he worked interchangeably as a labourer, farmer, and gardener.⁵⁹ Emelda B. Chisholm also sold parcels of her property to William Jennings and the Toronto and Niagara Power Company on 16 June 1904, and another parcel to the Grant Trunk Railway Company of Canada on 3 November 1904.⁶⁰

On 22 April 1905, Emelda B. Chisholm sold part of Lot 13 (and 12) to Peter James Inglehart and provided Inglehart with a mortgage.⁶¹ Inglehart was born in the United States and worked as a farmer.⁶² On 27 June 1905, Peter James Inglehart sold part of Lot 13 (and 12) to his eldest son, Walter Andrew Inglehart.⁶³ The 1921 identifies that Inglehart was a 'manager', though it does

⁵³ Library and Archives Canada. "Census of Canada, 1881: Oakville, Halton, Ontario; Roll: C_13257; Page: 26; Family No: 136." Accessed 25 October 2023. <https://www.ancestry.ca/discoveryui-content/view/3482196:1577>; Library and Archives Canada. "Census of Canada, 1881: Oakville, Halton, Ontario; Roll: C_13257; Roll: C_13257; Page: 26; Family No: 134." Accessed 25 October 2023. <https://www.ancestry.ca/discoveryui-content/view/3482191:1577>.

⁵⁴ LRO 20. Book 28. Instrument No. 2392; Library and Archives Canada. "Census of Canada, 1871: Oakville, Halton, Ontario; Image No. 4396685_00154."

⁵⁵ LRO 20. Book 28. Instrument No. 2599.

⁵⁶ LRO 20. Book 28. Instrument No. 8365.

⁵⁷ National Archives and Records Administration. "Petitions For Naturalization, Compiled 1909 - 1970; ARC Number: 2143321; Record Group Title: Records of District Courts of the United States; Record Group Number: 21." Accessed 25 October 2023. <https://www.ancestry.ca/discoveryui-content/view/450145377:2500>.

⁵⁸ LRO 20. Book 28. Instrument No. 2933.

⁵⁹ Library and Archives Canada. "Census of Canada, 1901: Oakville, Halton, Ontario; Roll: Page: 1; Family No: 1." Accessed 25 October 2023. <https://www.ancestry.ca/discoveryui-content/view/11319405:8826>.

⁶⁰ LRO 20. Book 28. Instrument No. 8365; LRO 20. Book 28. Instrument No. 35XX [illegible].

⁶¹ LRO 20. Book 28. Instrument No. 3589.

⁶² Library and Archives Canada. "Census of Canada, 1891: Oakville, Halton, Ontario; Roll: Image No. 30953_148143-00209." Accessed 25 October 2023. <https://recherche-collection-search.bac-lac.gc.ca/eng/home/record?app=census&IdNumber=25529800>.

⁶³ LRO 20. Book 28. Instrument No. 3617.

not specify exactly what his employment pertained to.⁶⁴ On 23 April 1906, Walter Andrew Inglehart sold part of Lot 13 (and 12) to Amy Ann Armstrong and Geroge Henry Armstrong, of whom little is known.⁶⁵ Shortly thereafter, on 12 July 1909, Amy Ann and George Henry Armstrong sold part of Lot 13 (and 12) to Louis Philip Snyder.⁶⁶ Snyder worked as an inspector for the Royal Bank of Canada and as a real estate agent.⁶⁷ Under Snyder's ownership, the Property – in its current configuration – was established as part of Plan 121.

4.5.2 Plan 121 Lot 9

Plan 121, also referred to as the 'Brantwood Annex' or 'Tuxedo Manor', is a small subdivision composed of seventeen lots bounded by Allan Street to the northeast, MacDonald Street (formerly Division Street) to the southeast, Reynolds Street to the southwest, and Spruce Street to the northwest (Figure 5). This block was previously called 'Block D' in Registered Plan 1. Lots one through sixteen of Plan 121 are generally uniform in size and shape. They are parallelograms each with an approximate area of 700 square metres. The only lot that differs, Block A, is considerably larger than the others. Plan 121 was registered on 15 July 1909 by Louis Philip Snyder.⁶⁸ Plan 121 is bordered by two other early 20th century plans of subdivision, including Plan 113 to the northeast, called the 'Brantwood Plan', which was registered on 5 June 1907 by L. Bartlett, and Plan 127 to the northwest, called 'Tuxedo Park', which was registered on 16 April 1910 also by Louis Philip Snyder. Plan 121 is also bordered by Plan 1 (registered in 1831) to the southeast and Plan 35 (registered in 1861) to the southwest.

Despite the known presence of the Property parcel by 1909, a topographic map from that year does not depict Spruce Street or any buildings (Figure 6). The first property in the Brantwood Annex to have been developed was 340 Spruce Street, where a house was built in 1912. Development continued through the 1910s, with several surviving buildings, including that on the adjacent property at 323 MacDonald Road, having been built in the era.

Land in the Brantwood Plan and Tuxedo Park was heavily marketed towards citizens of larger neighbouring cities, including Toronto and Hamilton in the case of the Brantwood Plan, and Toronto in the case of Tuxedo Park. A brochure prepared by the Cumberland Land Company Limited describes Oakville as "... becoming an exclusive suburb of the sister cities of Toronto and Hamilton", and subsequently describes Brantwood's social life in contrast to Toronto and Hamilton and its proximity to Toronto and Hamilton.⁶⁹ Tuxedo Park was also marketed to

⁶⁴ Library and Archives Canada. "Census of Canada, 1921: Oakville, Halton, Ontario; Roll: Image No. e002930330." Accessed 25 October 2023. <https://recherche-collection-search.bac-lac.gc.ca/eng/home/record?app=census&IdNumber=64286574>.

⁶⁵ LRO 20. Book 28. Instrument No. 3723 I.

⁶⁶ LRO 20. Book 28. Instrument No. 4184.

⁶⁷ Library and Archives Canada. "Census of Canada, 1911: Item ID. Number 14786950." Accessed 19 October 2023. <https://recherche-collection-search.bac-lac.gc.ca/eng/home/record?app=census&IdNumber=14786950>.

⁶⁸ Land Registry Office 20 [LRO 20]. "Abstract/Parcel Register Book, HALTON COUNTY (20), HALTON, PLAN 121." Instrument No. Plan 121.

⁶⁹ Cumberland Land Company Limited. "Brantwood: Beautifully Located, Healthful Surroundings, Inviting Prospects, Pleasing Vistas with City Conveniences." 1913. Accessed 23 November 2023. https://www.oakvillehistory.org/uploads/2/8/5/1/28516379/1913_brantwood_survey_book.pdf.

residents of Toronto. An advertisement published in *Toronto World* in 1910 described Tuxedo Park as “... without question the most delightful suburb ever opened up and offered for home sites to the citizens of Toronto at such reasonable prices and on such easy terms.”⁷⁰ Because the Brantwood Annex/Tuxedo Manor was adjacent to both the Brantwood Plan and Tuxedo Park, created in 1909 after the Brantwood Plan but before Tuxedo Park, and owned by Louis Philip Snyder, it is likely that the Brantwood Annex/Tuxedo Manor was also marketed towards citizens of Toronto and/or Hamilton (see Appendix D for the full advertisements). Collectively, the creation and development of these subdivisions marked a large-scale urban expansion of the Town of Oakville. Moreover, the marketing strategy employed alongside their development suggests a transformation of Oakville from a seasonal resort town to a bedroom community for Toronto and Hamilton.

On 23 August 1910, Snyder sold the Property to Mary Oliphant (née Shook) for \$4,000.00.⁷¹ The 1911 census reveals that Oliphant lived with her husband, Thomas, and her son, Roy (likely a short version of ‘Gordon Leroy’, by which he is noted on the 1901 census and on Military Attestation papers).⁷² Oliphant had the existing house on the Property developed. Although the Property is depicted as vacant on a topographic map from 1919, a subsequent fire insurance plan from 1924 depicts the house (Figure 6 and Figure 7). It is therefore possible that the house was constructed between 1919-1924; however, given that topographic maps often do not reflect all details of the built environment, it is more likely that the house was built between 1912-1924. An aerial photograph from 1934 shows the house in the same general location and configuration as the 1924 fire insurance plan. At the time, the adjacent houses had not yet been developed (Figure 8). Although the Property had been developed, there are no land registry instruments indicating that money had been borrowed. The only money borrowed by Oliphant for the Property was a \$1,500.00 mortgage acquired on 11 December 1937, several years after the known development of the house on the Property.⁷³ Shortly after acquiring the mortgage, on 30 July 1938, Oliphant died.⁷⁴ Although Oliphant had owned the Property until her death, it is unclear if she ever lived there. The 1931 Census, which identifies on which road each resident of the Town of Oakville resided, does not list Mary Oliphant.

On 16 June 1944, the executors of Oliphant’s will, Gordon D. Pattinson and Roy Oliphant, discharged the mortgage acquired by Mary and granted the Property to Kenneth Wiley MacTaggart and Serena Eliza MacTaggart for \$4,800.00.⁷⁵ That same day, Kenneth and Serena MacTaggart acquired a \$2,500.00 mortgage.⁷⁶ During their ownership, Kenneth and Serena MacTaggart acquired several additional mortgages, including \$3,000.00 on 30 November 1946, \$4,500.00 on 17 December 1948, \$4,700.00 on 15 February 1950, and \$5,400.00 on

⁷⁰ Toronto World. “Tuxedo Park.” 1910. Accessed 23 November 2023. <https://collections.oakville.ca/objects/1718/advertisement>.

⁷¹ LRO 20. Plan 121. Instrument No. 4446.

⁷² Library and Archives Canada. “1911 Census: Oakville, Halton, Ontario; Page: 14; Family No: 164.” Accessed October 25, 2023. <http://www.bac-lac.gc.ca/eng/census/1911/Pages/about-census.aspx>.

⁷³ LRO 20. Plan 121. Instrument No. 12067 Q.

⁷⁴ <https://www.ancestry.ca/discoveryui-content/view/4065958:8946>

⁷⁵ LRO 20. Plan 121. Instrument No. 13311 R.

⁷⁶ LRO 20. Plan 121. Instrument No. 13312 R.

15 September 1953.⁷⁷ No major discernable changes occurred on the Property by 1949 or 1954 (Figure 7 and Figure 8).

On 15 March 1956, Kenneth and Serena MacTaggart granted the Property to Nancy C. Wolfrain for \$1.00.⁷⁸ Wolfrain subsequently acquired a \$6,000.00 mortgage on 12 July 1956 from the Canada Permanent Trust Co.⁷⁹ Wolfrain owned the Property until 28 November 1962, when she sold it to Peter and Gwynneth Cowen for an amount illegible on land registry documentation.⁸⁰ That same day, Peter and Gwynneth Cowen acquired a \$10,000.00 mortgage from Wolfrain.⁸¹ No major discernable changes occurred on the Property by 1969, as evidenced on an air photo (Figure 8).

On 12 November 1970, Peter and Gwynneth Cowen granted the Property to Terrance Patrick O'Connor and Carol Ann O'Connor for \$1.00.⁸² By 1974, no major discernable changes occurred to the Property (Figure 8). On 7 October 1987, Terrance and Carol O'Connor granted the Property to Gordon Ross Herington and Claudette Lecours Herington for \$310,000.00.⁸³ By 1995, two rear additions had been built on the building on the Property's southeast elevation. No major discernable alterations occurred to the Property in the late 20th century or early 21st century (Figure 9).

⁷⁷ LRO 20. Plan 121. Instrument No. 14671 S; LRO 20. Plan 121. Instrument No. 15973 S; LRO 20. Plan 121. Instrument No. 16910 T; LRO 20. Plan 121. Instrument No. 20752 V.

⁷⁸ LRO 20. Plan 121. Instrument No. 48365.

⁷⁹ LRO 20. Plan 121. Instrument No. 53125.

⁸⁰ LRO 20. Plan 121. Instrument No. 145598.

⁸¹ LRO 20. Plan 121. Instrument No. 145599.

⁸² LRO 20. Plan 121. Instrument No. 303399.

⁸³ LRO 20. Plan 121. Instrument No. 677795.

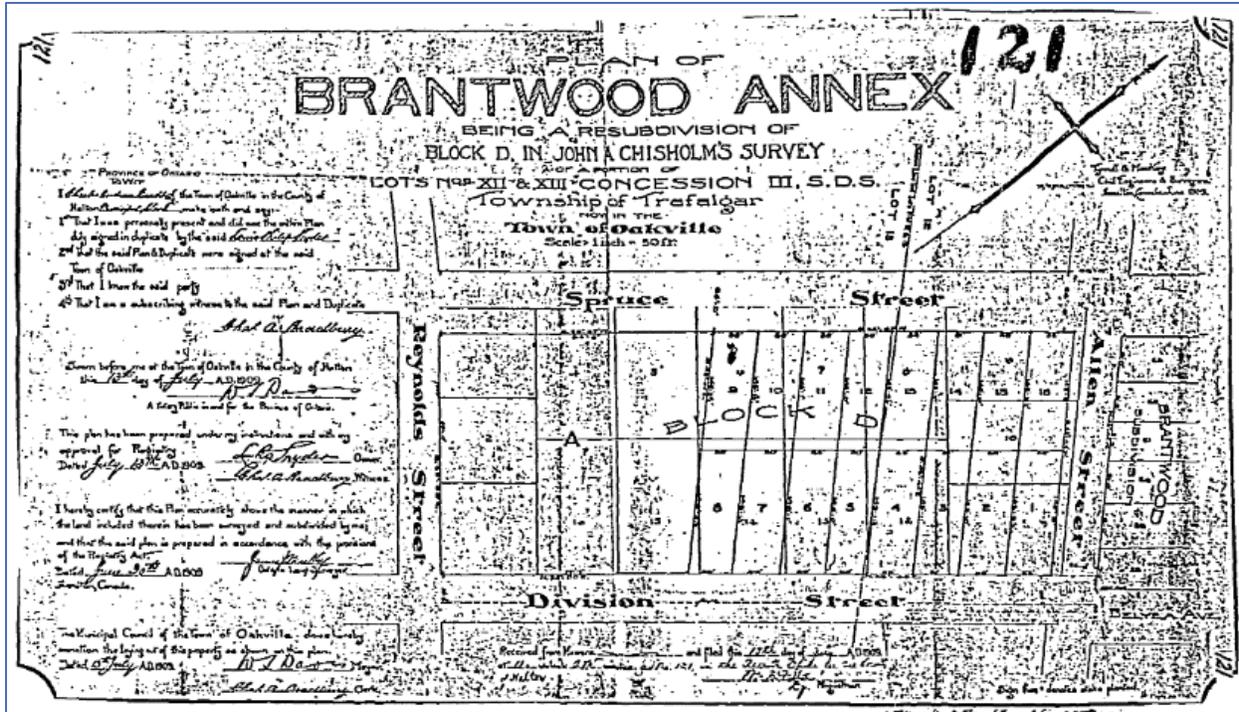
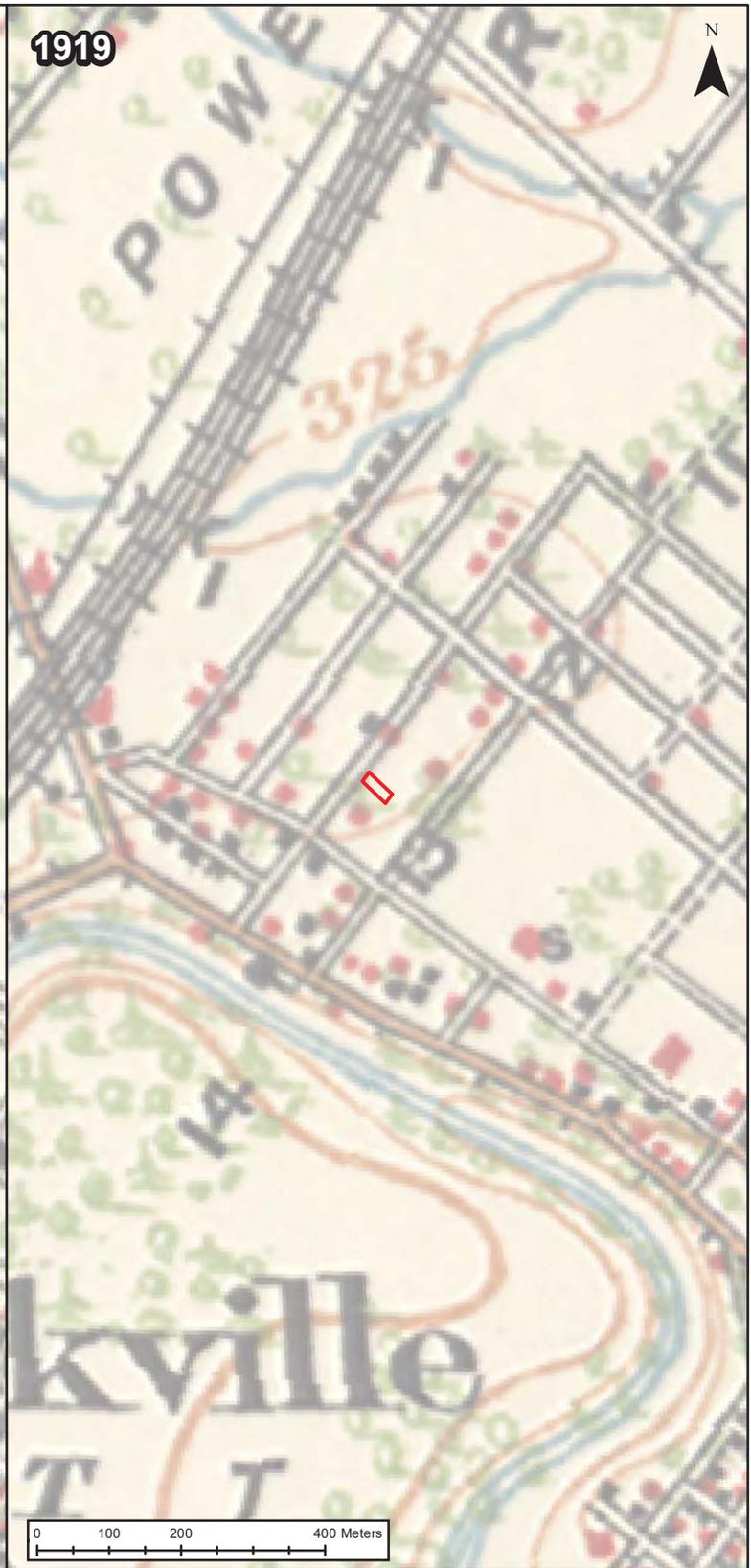
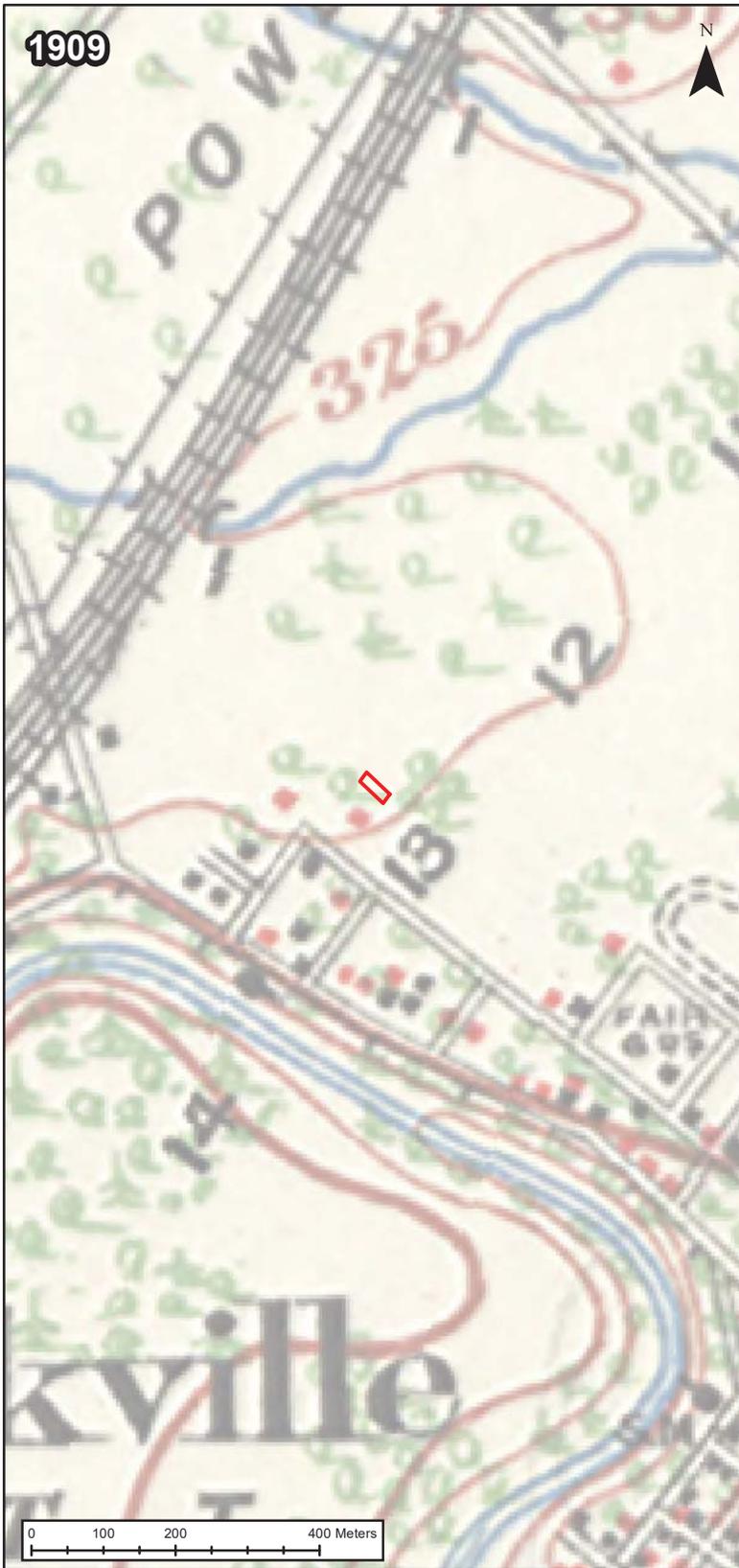


Figure 5: Location of the Brantwood Annex/Tuxedo Manor



Legend

 Property

NOTE(S) 1. All locations are approximate.

REFERENCE(S)

1. Department of Militia and Defence, "Topographic Map, Ontario, Hamilton Sheet", (https://geo.scholarsportal.info/#/details/_uri@=HTDP63360K030M05_1909TIF&_add:true_nozoom:true, accessed 25 October 2023), digitized map scale 1:63,360, sheet 30 M/5, edition 1, Ottawa: Department of Militia and Defence, 1909.
 2. Department of Militia and Defence, "Topographic Map, Ontario, Hamilton Sheet", (https://geo.scholarsportal.info/#/details/_uri@=HTDP63360K030M05_1919TIF&_add:true_nozoom:true, accessed 25 October 2023), digitized map scale 1:63,360, sheet 30 M/5, edition 3, Ottawa: Department of Militia and Defence, 1919.
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TITLE
 1909 and 1919 Topographic Maps Showing the Property

CLIENT
 Carrothers and Associates

PROJECT PROJECT NO. LHC0409
 Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON

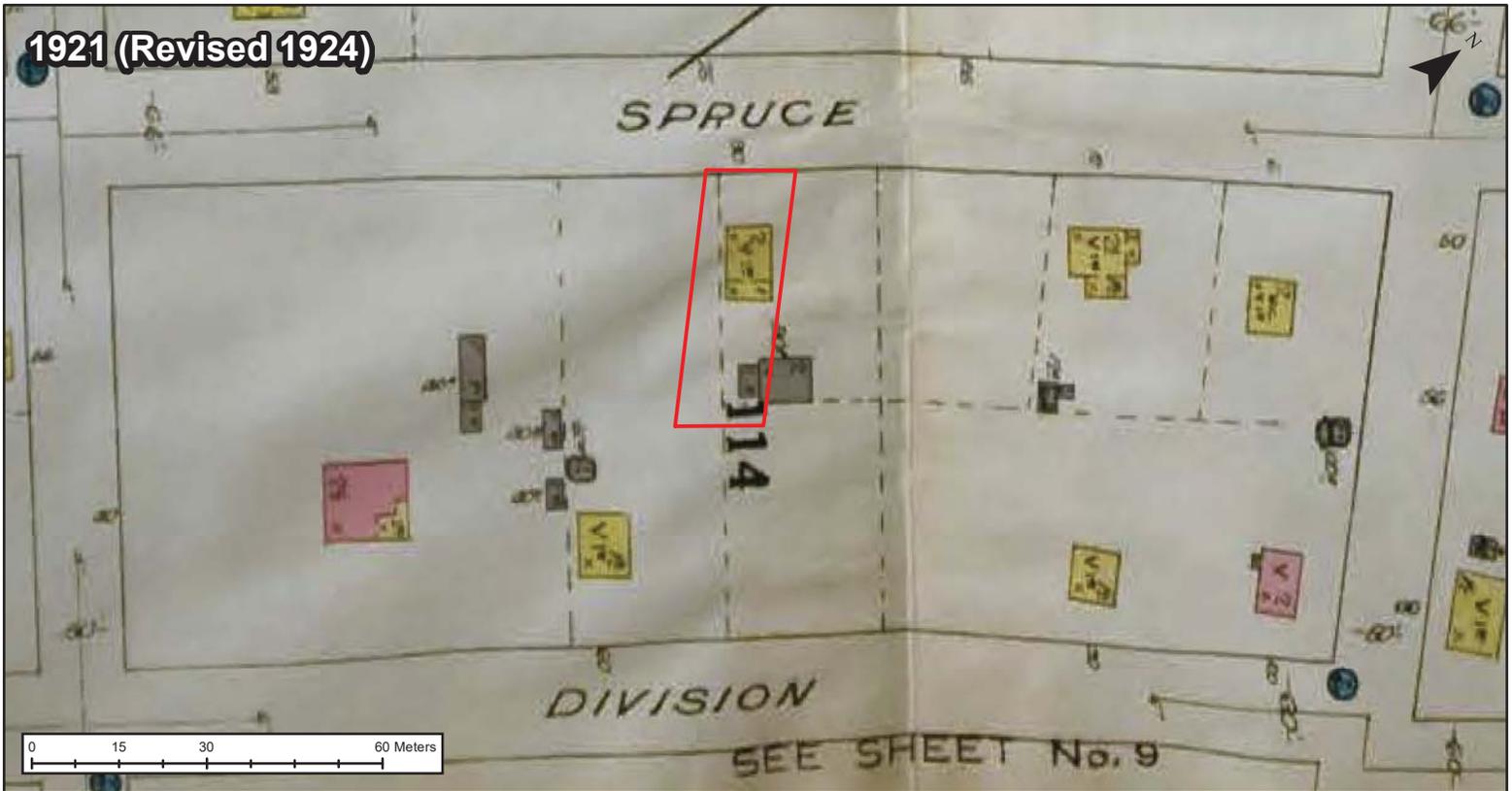
CONSULTANT YYYY-MM-DD 2023-10-25

 PREPARED LHC

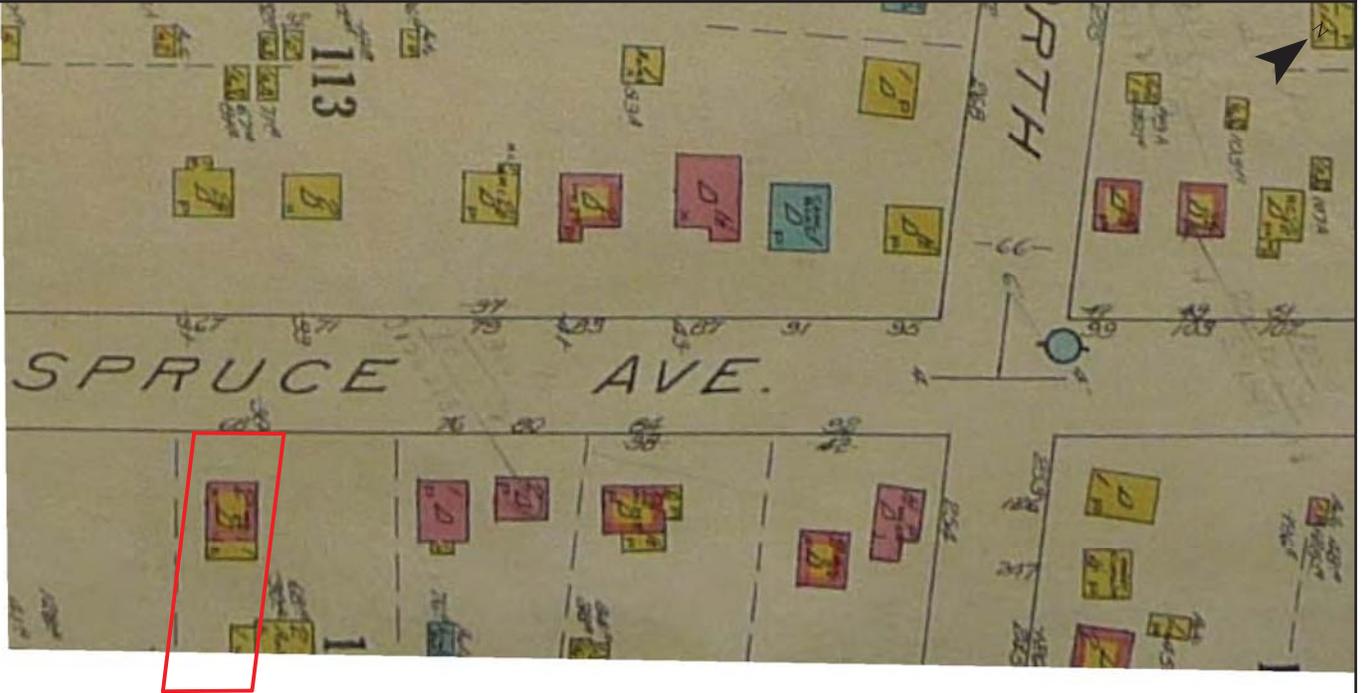
DESIGNED JG

FIGURE # 6

1921 (Revised 1924)



1949



Legend

 Property

NOTE(S) 1. All locations are approximate.

REFERENCE(S)

1. n.a., "Oakville, Ont.", provided by the Oakville Public Library, sheet 8, scale 1:1,200, 1910 rev. 1924.
 2. Schappert, S., "Heritage Research Report, 367 Spruce Street", last modified May 2013.
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TITLE
1921 (Revised 1924) and 1949 Fire Insurance Plans Showing the Property

CLIENT
Carrothers and Associates

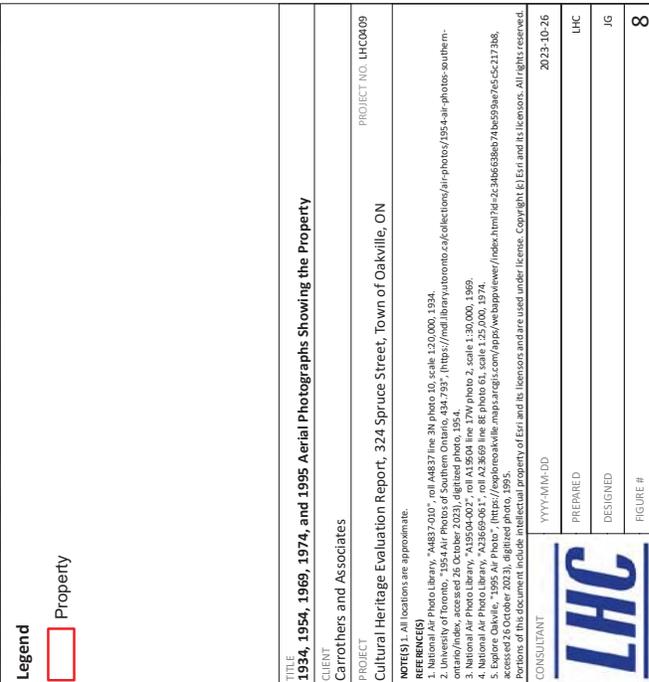
PROJECT PROJECT NO. LHC0409
Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON

CONSULTANT YYY-MM-DD 2023-11-03

 PREPARED LHC

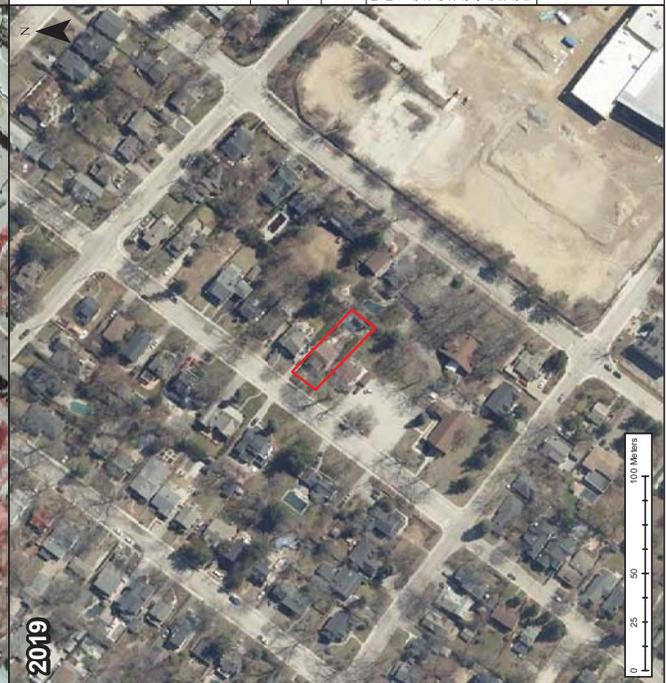
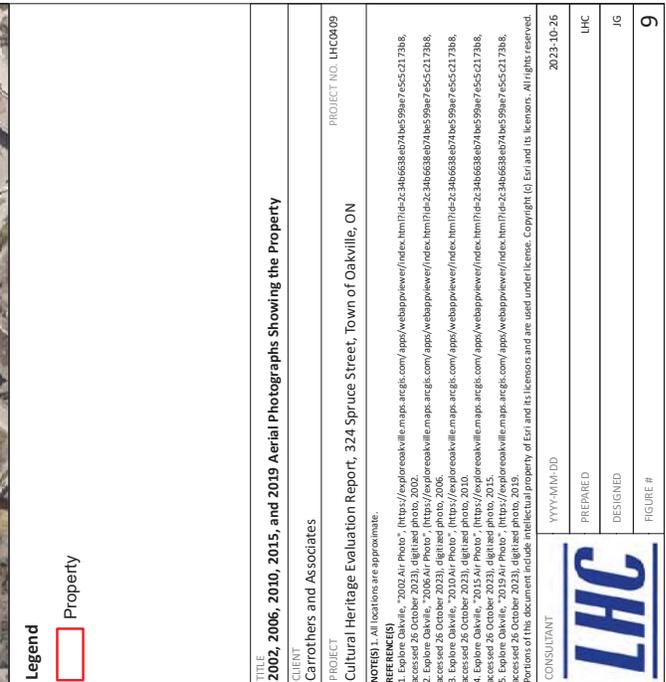
DESIGNED JG

FIGURE # 7



Legend
 Property

TITLE	1934, 1954, 1969, 1974, and 1995 Aerial Photographs Showing the Property
CLIENT	Carrothers and Associates
PROJECT	Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON
PROJECT NO.	LHC0409
NOTES	1. All locations are approximate. 2. Metadata for the 1934, 1954, 1969, 1974, and 1995 aerial photos are as follows: 1934: "1934 Air Photos of Southern Ontario, 43x 73", (https://ndl.library.utoronto.ca/collections/air-photos-southern-ontario/index, accessed 26 October 2023), digitized photo, 1954: 3. National Air Photo Library, "A19504007", roll A19504 line 17W photo 2, scale 1:30,000, 1969: 4. National Air Photo Library, "A23699061", roll A23699 line 8E photo 64, scale 1:25,000, 1974: 5. National Air Photo Library, "A23699061", roll A23699 line 8E photo 64, scale 1:25,000, 1974: Portions of this document include intellectual property of Esri and its licensors and are used under license. Copyright (c) Esri and its licensors. All rights reserved.
CONSULTANT	YYYY-MM-DD 2023-10-26
LHC	PREPARED
JG	DESIGNED
FIGURE #	8



Legend
 Property

TITLE 2002, 2006, 2010, 2015, and 2019 Aerial Photographs Showing the Property	
CLIENT Carrothers and Associates	
PROJECT Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON	
PROJECT NO. LHC0409	
NOTES: 1. All locations are approximate.	
REFERENCES:	
1. Explore Oakville, "2002 Air Photo", (https://explore.oakville.maps.arcgis.com/apps/webappviewer/index.html?id=2c34b66838ab74ba599a876545c217398), accessed 26 October 2023, digital photo, 2002.	
2. Explore Oakville, "2006 Air Photo", (https://explore.oakville.maps.arcgis.com/apps/webappviewer/index.html?id=2c34b66838ab74ba599a876545c217398), accessed 26 October 2023, digital photo, 2006.	
3. Explore Oakville, "2010 Air Photo", (https://explore.oakville.maps.arcgis.com/apps/webappviewer/index.html?id=2c34b66838ab74ba599a876545c217398), accessed 26 October 2023, digital photo, 2010.	
4. Explore Oakville, "2015 Air Photo", (https://explore.oakville.maps.arcgis.com/apps/webappviewer/index.html?id=2c34b66838ab74ba599a876545c217398), accessed 26 October 2023, digital photo, 2015.	
5. Explore Oakville, "2019 Air Photo", (https://explore.oakville.maps.arcgis.com/apps/webappviewer/index.html?id=2c34b66838ab74ba599a876545c217398), accessed 26 October 2023, digital photo, 2019.	
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CONSULTANT	YYYY-MM-DD
LHC	2023-10-26
LHC	PREPARED
JG	DESIGNED
9	FIGURE #

4.5.3 Morphology Surrounding the Property

Table 2 below identifies morphological change of the Property's immediate context. It specifically looks at properties on the southeast side of Spruce Street (Plan 121, Brantwood Annex), northwest side of MacDonald Street (Plan 121, Brantwood Annex), and the northwest side of Spruce Street (Plan 127, Tuxedo Park). Figure 10 shows the present lot configurations within Plan 121 in relation to Plan 121 itself.

Table 2: Morphology Surrounding the Property

Year	Data Medium (Figure)	Morphology
1907	Section 4.5.2	Plan 113 (Brantwood Plan) registered by L. Bartlett. Generally composed of rectangular lots fronting onto northwest-southeast roads (Allen Street, Douglas Avenue, Watson Avenue, and Gloucester Avenue). All lots were similar in size.
1909	Section 4.5.2 (Figure 5, Figure 10)	Plan 121 (Brantwood Annex/Tuxedo Manor) registered by Louis Philip Snyder. Lots one through sixteen of Plan 121 are generally uniform in size and shape. Lots one through eight front onto the northwest side of MacDonald Road and lots nine through sixteen front onto the southeast side of Spruce Street. Lots one through sixteen are parallelograms each with an approximate area of 700 square metres. Block A is bound by Spruce Street, lots eight and nine of Plan 121, MacDonald Road, and Reynolds Street. It is considerably larger than the other lots.
1910	Section 4.5.2	Plan 127 (Tuxedo Park) registered by Louis Philip Snyder. Plan 127 is generally composed of rectangular lots that front onto both the northwest-southeast and northeast-southwest roads. In general lots fronting onto northwest-southeast roads are slightly larger than those fronting onto northeast-southwest roads. Ten lots within Plan 127 front onto Spruce Street. Lots four through eleven front onto Spruce Street. Lot one and lot twelve front onto Allen Street and Reynolds Street, respectively, with side property lines fronting onto Spruce Street.
1919	Topographic Map (Figure 6)	Buildings are depicted on the northwest side of Spruce Street (Plan 127), southeast side of Spruce Street (Plan 121), and northwest side of McDonald Road (Plan 121).

Year	Data Medium (Figure)	Morphology
1924	FIP (Figure 7)	<p>One building is shown on the northwest side of Spruce Street (Plan 127 Lot 12).</p> <p>Three buildings are shown on the southeast side of Spruce Street and four buildings are shown on the northwest side of MacDonald Road. Present buildings are generally contained within a single property parcel as defined within Plan 121. The buildings differ slightly in size and shape but share a similar setback from Spruce Street.</p>
1934	Aerial (Figure 8)	<p>Six buildings are shown on the northwest side of Spruce Street. Aside from the building that fronts onto Reynolds Street (Plan 127 Lot 12), each building is similar size and shape and has a similar setback from Spruce Street. Each building's primary façade is parallel to Spruce Street.</p> <p>Three buildings are shown on the southeast side of Spruce Street. The buildings differ slightly in size and shape but share a similar setback from Spruce Street. The primary façade of each building is not parallel with Spruce Street; they are angled slightly to the north. This angle is in keeping with the lot shape defined in Plan 121.</p> <p>Five building are shown on the northwest side of MacDonald Road. The building closest to Reynolds Street (Plan 121 Block A) is larger than the others and has a deeper setback from MacDonald Road. The other four buildings are similar in size, shape, and setback distance. The primary façade of each building is not parallel with MacDonald Road; they are angled slightly to the south. This angle is in keeping with the lot shape defined in Plan 121.</p>
1949	FIP (Figure 7)	<p>Seven buildings are shown on the northwest side of Spruce Street (the building at Plan 127 Lot 12 is out of frame). Two additional buildings were constructed near Spruce Street's intersection with Allen Street. The newly developed buildings are similar in size and shape and have a similar setback to the others on the northwest side of the street.</p> <p>Six buildings are shown on the southeast side of Spruce Street. Buildings were constructed on 332 Spruce Street, 336 Spruce Street, and 386 Allen Street. The new buildings differ slightly in size and shape but share a similar setback from Spruce Street.</p>

Year	Data Medium (Figure)	Morphology
1954	Aerial (Figure 8)	A new building is shown on the northwest side of Spruce Street. This development occurred on Lot ten and eleven of Plan 127. Plan 121 Block A had been subdivided into several lots by this time. New development cannot be determined.
1969	Aerial (Figure 8)	<p>Nine buildings are shown on the northwest side of Spruce Street. No observable changes had been made.</p> <p>Nine buildings are shown on the southeast side of Spruce Street. New houses were constructed at 318 Spruce Street and 328 Spruce Street. Both buildings are consistent in shape, size, and setback with other buildings on the southeast side of Spruce Street. They are also both slightly angled to the north. The third new building constructed was constructed near Plan 121 Block A's eastmost corner towards the intersection of Spruce Street and Reynolds Street. The primary façade of this structure aligns with Spruce Street. It is the only building on the southeast side of Spruce Street with this orientation.</p> <p>Seven buildings are shown on the northwest side of MacDonald Road. New houses were constructed at 395 Reynolds Street (part Plan 121 Block A), 319 MacDonald Road, and 333 MacDonald Road. All three buildings are consistent in size and shape and have a similar setback to the others on the northwest side of the street. The buildings at 319 MacDonald Road and 333 MacDonald Road are oriented slightly towards the south.</p>
1974	Aerial (Figure 8)	No observable changes had been made on the northwest side of Spruce Street, southeast side of Spruce Street, or northwest side of MacDonald Road.
1995	Aerial (Figure 8)	<p>No observable changes had been made on the northwest side of Spruce Street or southeast side of Spruce Street.</p> <p>A new house was constructed on the northwest side of MacDonald Road at 327 MacDonald Road. It is consistent in size and shape and has a similar setback to the others on the northwest side of the street. It is also oriented slightly towards the south.</p>

Year	Data Medium (Figure)	Morphology
2002	Aerial (Figure 9)	<p>Nine buildings are shown on the northwest side of Spruce Street. Garage additions were constructed on the buildings at 325 Spruce Street and 347 Spruce Street.</p> <p>No changes had been made on the southeast side of Spruce Street.</p> <p>A new house was constructed on the northwest side of MacDonald Road at 341 MacDonald Road. It is consistent in size and shape and has a similar setback to the others on the northwest side of the street. It is also oriented slightly towards the south.</p>
2006	Aerial (Figure 9)	<p>No observable changes had been made on the northwest side of Spruce Street or the northwest side of MacDonald Road.</p> <p>A detached garage was built on the property at 348 Spruce Street. No other changes were made on the southeast side of Spruce Street.</p>
2010	Aerial (Figure 9)	<p>No observable changes had been made on the northwest side of Spruce Street, southeast side of Spruce Street, or northwest side of MacDonald Road.</p>
2015	Aerial (Figure 9)	<p>An addition was built on the southwest elevation of the building at 321 Spruce Street.</p> <p>No observable changes had been made on the southeast side of Spruce Street or the northwest side of MacDonald Road.</p>
2019	Aerial (Figure 9)	<p>The property at 343 Spruce Street had been redeveloped with a new house.</p> <p>No observable changes had been made on the southeast side of Spruce Street or the northwest side of MacDonald Road.</p>
2023	Section 5.1	<p>The properties at 315 Spruce Street, 344 Spruce Street, and 351 Spruce Street had been redeveloped with new houses.</p> <p>No observable changes had been made on the northwest side of MacDonald Road.</p>

At the time of writing, one active development application is ongoing and one recently approved development permit has been issued for land close to the Property. The development application is for the property located at 358 Reynolds Street, which is located to the south of Reynolds Street's intersection with MacDonald Road; approximately 125 metres southwest of the Property. Ten townhouses fronting onto MacDonald Street are proposed.⁸⁴ The approved development permit is for the properties located at 348 MacDonald Road and 327 Reynolds Street (site of the former Oakville Trafalgar Memorial Hospital). This lot is approximately 5.64 hectares in area and will be redeveloped with low-density residential, medium-density residential, seniors housing, a community centre, and park space. The area fronting onto MacDonald Road will comprise 12 low-rise residential lots each with an approximate area of 625 square metres.⁸⁵

⁸⁴ Town of Oakville. "358 Reynolds Street - Z.1613.65 and 24T-23003/1613." Accessed 28 February 2024. <https://www.oakville.ca/business-development/planning-development/active-development-applications/ward-3-development-and-site-plan-applications/macdonald-rose-inc-358-reynolds-street-z-1613-65-and-24t-23003-1613/>.

⁸⁵ Town of Oakville. "327 Reynolds Street and 348 MacDonald Road - 24T-18001/1613." Accessed 28 February 2024. <https://www.oakville.ca/business-development/planning-development/active-development-applications/ward-3-development-and-site-plan-applications/former-oakville-traffic-memorial-hospital-327-reynolds-street-and-348-macdonald-road-24t-18001/>.



Legend

Property

NOTE(S) 1. All locations are approximate.

REFERENCE(S)

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TITLE
 Present Lot Configurations in Relation to Plan 121

CLIENT
 Carrothers and Associates

PROJECT PROJECT NO. LHC0409
 Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON

CONSULTANT YYY-MM-DD 2024-03-01



PREPARED LHC

DESIGNED JG

FIGURE # 10

5.0 EXISTING CONDITIONS

5.1 Surrounding Context

The Property is located in the Town of Oakville in Halton Region. The Town is between the City of Mississauga to the northeast, Lake Ontario to the southeast, the City of Burlington to the southwest, and the Town of Milton to the northwest.

The Property is in southeast Oakville and is bounded by Spruce Street to the northwest, 328 Spruce Street to the northeast, 318 Spruce Street to the southwest, and 323 MacDonald Street to the southeast. Spruce Street is a local road extending between Trafalgar Road and Gloucester Avenue. Between Reynolds Street and Allan Street, Spruce Street is composed of one northeast-bound and one southwest-bound lane. The road has an asphalt driving surface with a concrete curb and sidewalk on both sides. Wood electrical poles are located on the northwest side of the road. Only one electrical pole, located in front of 339 Spruce Street, has a streetlight (Photo 1 and Photo 2). The property at 328 Spruce Street (Plan 121 Lot 10) is a parallelogram shaped lot with an approximate area of 670m². The house on it is a single-detached, clapboard siding clad two-storey building (Photo 3). The property at 318 Spruce Street (part Plan 121 Block A) is a rectangular property with an approximate area of 4,100m². The house on it is a single-detached, brick one-and-a-half storey building. A clapboard siding clad shed occupies the northeast section of the property (Photo 4) and a one-storey brick church – the Grace Lutheran Church of Oakville – occupies the southwest section of the property (Photo 5). The property at 323 MacDonald Street (Plan 121 Lot 8) is a parallelogram shaped lot with an approximate area of 685m². The house on it is a single-detached, brick and asphalt shingle clad two-storey building (see Section 5.2).

The topography is flat around the Property. Mature deciduous and/or coniferous trees are common in front and rear yards in the area. Hedges, shrubs, juvenile coniferous and/or deciduous, and gardens with perennial flowers are also common in the front and side yards of properties in the area.

The Property's immediate context includes properties on the southeast side of Spruce Street (Plan 121), northwest side of MacDonald Street (Plan 121), and the northwest side of Spruce Street (Plan 127) between Reynolds Street and Allan Street. Single-detached houses are the most common building type and most of the houses were developed in the early- to mid-20th century as part of the 'Brantwood Plan', 'Brantwood Annex', or 'Tuxedo Park'. There are some newer latter 20th century and 21st century houses in the area including those at 315 Spruce Street, 344 Spruce Street, and 351 Spruce Street. Many older homes have had alterations, additions, and renovations over time, such as attached garage additions and cladding material changes. Houses range from one storey to two-and-a-half storeys and are clad in a mix of materials including brick, board and batten siding, stucco, and cedar shakes. Houses built in, or influenced by, the Craftsman Bungalow style are particularly notable in the area.

Residential properties are generally parallelogram shaped in the 'Brantwood Annex'. The primary façades of buildings in the 'Brantwood Annex' are not typically parallel with their corresponding street but are angled slightly to the north (on Spruce Street) and to the south (on MacDonald Road) to correspond with the shape of their respective lots (see Figure 10). Residential properties in 'Tuxedo Park' are generally rectangular, and the primary façade of buildings is typically parallel to the corresponding street.

Buildings in the Property's immediate context generally have a moderate setback from the street, which is typically no less than 11.0 metres and no more than 17.5 metres, and have narrow side yards, which are typically no less than 1.0 metre and no more than 6.0 metres. This general composition was standard for properties in the 'Brantwood Annex' and 'Tuxedo Park' (Photo 6; see Appendix D).

The Property's wider context includes the remainder of 'Tuxedo Park' (Plan 127) to the northwest, the 'Brantwood Plan' (Plan 113) to the northeast, Plan 1 to the southeast, Plan 35 to the southwest, and Plan 126 to the northwest (Figure 11). The character of this widened area remains dominated by single-detached, one to two-and-a-half storey houses clad in a mix of materials. Plan 126 was registered in 1909 (alike the 'Brantwood Annex') and contains similar building stock to the Property's immediate context. Plan 1 and Plan 35 predate the 'Brantwood Annex' and contain older building stock but retain the low-rise character of the area. The existing church at 304 Spruce Street and the proposed development at 348 MacDonald Road and 358 Reynolds Street are among the only buildings that do/will not fully adhere to the extant character.



Photo 1: View northeast along Spruce Street



Photo 2: View southwest along Spruce Street



Photo 3: View southeast of 328 Spruce Street



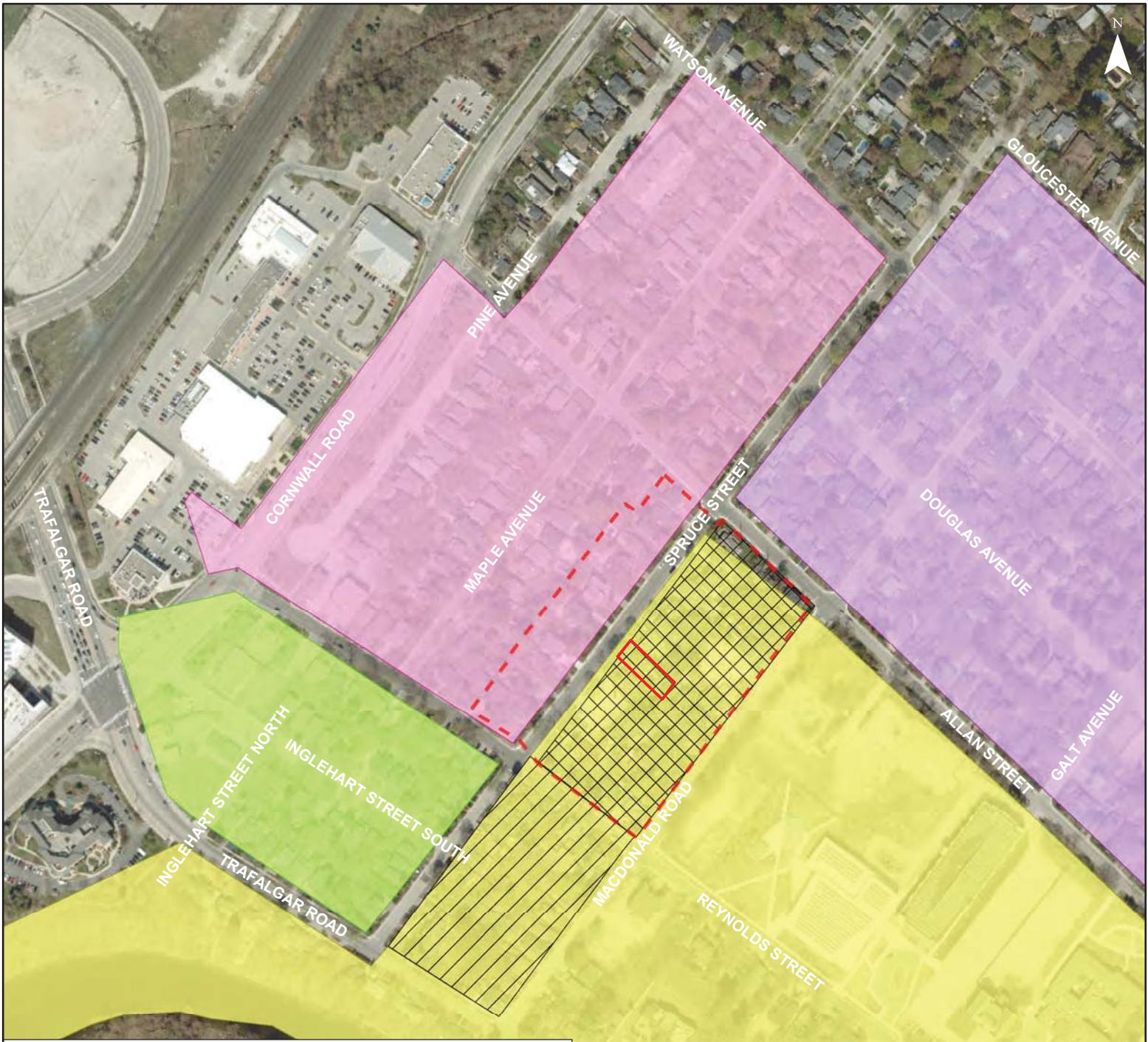
Photo 4: View southeast of 318 Spruce Street



Photo 5: View southeast of the church at 318 Spruce Street



Photo 6: View of 340-348 Spruce Street



Legend

- Property
- Immediate Context Surrounding the Property
- Plan 1, Reg. 1831
- Plan 113, Reg. 1907
- Plan 121, Reg. 1909
- Plan 126, Reg. 1909
- Plan 127, Reg. 1910
- Plan 35, Reg. 1861

NOTE(S) 1. All locations are approximate.

REFERENCE(S)

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TITLE
The Property's Immediate and Wider Context

CLIENT
 Carrothers and Associates

PROJECT
 Cultural Heritage Evaluation Report, 324 Spruce Street, Town of Oakville, ON

PROJECT NO. LHC0409

CONSULTANT
 YYYY-MM-DD 2024-03-21



PREPARED LHC

DESIGNED JG

FIGURE # 11

5.2 Adjacent and Nearby Heritage Properties

The Town of Oakville *OP* does not provide a definition of ‘adjacent’ as it relates to cultural heritage properties. The *Halton Region Official Plan* defines ‘adjacent lands’ as “...lands contiguous to a protected heritage property or as otherwise defined in the Area Local Official Plan.”⁸⁶ This definition aligns with the *PPS* definition of adjacent, which in the context of cultural heritage means “those lands contiguous to a protected heritage property.”⁸⁷ Using the *ROP* and *PPS* definitions, Table 3 identifies the adjacent properties. Given the high density of recognized heritage properties in the vicinity, nearby heritage properties (within 100 metres of the Property) are also identified in Table 4.

Table 3: Adjacent Heritage Properties⁸⁸

Address	Heritage Recognition	Town Description	Image
232 MacDonald Road	Listed, Section 27 Part IV OHA	This property has potential cultural heritage value for its c.1915 brick house with Colonial Revival and Arts & Crafts style influences.	 <p>(Google Streetview, 2023)</p>

⁸⁶ Halton Region. “Official Plan.” P. 170.

⁸⁷ Province of Ontario. “Provincial Policy Statement.” 39.

⁸⁸ Town of Oakville. “Heritage Property map.” Accessed October 26.

<https://exploreoakville.maps.arcgis.com/apps/webappviewer/index.html?id=cd810cf9cd6b44d5b573cdec4a13034d>.

Table 4: Nearby Heritage Properties.⁸⁹

Address	Heritage Recognition	Town Description	Image
<p>311-313 MacDonald Road</p>	<p>Listed, Section 27 Part IV <i>OHA</i></p>	<p>This property has potential cultural heritage value as an example of Arts and Crafts architecture.</p> <p>This property has potential cultural heritage value for its c.1910 brick bungalow with Edwardian and Queen Anne style influences, historically associated with L.P. Snyder who developed Tuxedo Park.</p>	 <p>(Google Streetview, 2023)</p>
<p>351 MacDonald Road</p>	<p>Listed, Section 27 Part IV <i>OHA</i></p>	<p>This property has potential cultural heritage value for its c.1906 Edwardian style brick house.</p>	 <p>(Google Streetview, 2023)</p>
<p>308 Maple Avenue</p>	<p>Listed, Section 27 Part IV <i>OHA</i></p>	<p>This property has potential cultural heritage value for its c.1930s Colonial Revival style frame house and garage.</p>	 <p>(Google Streetview, 2023)</p>

⁸⁹ Town of Oakville. "Heritage Property map." Accessed October 26. <https://exploreoakville.maps.arcgis.com/apps/webappviewer/index.html?id=cd810cf9cd6b44d5b573cdec4a13034d>.

Address	Heritage Recognition	Town Description	Image
312 Maple Avenue	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1910 Edwardian style brick house.	 <p>(Google Streetview, 2023)</p>
395 Reynolds Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1910 Tudor Revival style stucco house.	 <p>(Google Streetview, 2023)</p>
409 Reynolds Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1919 Craftsman style frame bungalow.	 <p>(Google Streetview, 2023)</p>
321 Spruce Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1915 vernacular frame house.	 <p>(Google Streetview, 2023)</p>

Address	Heritage Recognition	Town Description	Image
325 Spruce Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1925 frame house with Colonial Revival influences.	 <p>(Google Streetview, 2023)</p>
335 Spruce Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1924 vernacular frame house.	 <p>(Google Streetview, 2023)</p>
336 Spruce Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1946 Colonial Revival style brick house.	 <p>(Google Streetview, 2023)</p>
339 Spruce Street	Listed, Section 27 Part IV <i>OHA</i>	This property has potential cultural heritage value for its c.1924 vernacular brick house with Colonial Revival style influences.	 <p>(Google Streetview, 2023)</p>

Address	Heritage Recognition	Town Description	Image
338 - 340 Spruce	Designated, Section 29 Part IV <i>OHA</i>	<p>This property has potential cultural heritage value as an example of Craftsman-inspired architecture.</p> <p>This property has potential cultural heritage value for its c.1925 brick house with Craftsman style influences.</p>	
348 Spruce Street	Listed, Section 27 Part IV <i>OHA</i>	<p>This property has potential cultural heritage value for its c.1924 vernacular brick house.</p>	 <p>(Google Streetview, 2023)</p>

5.3 The Property

The Property is a rectangular lot with an approximate area of 675 square metres. It is on the southeast side of Spruce Street. The house is a two-and-a-half storey, brick, cedar shake, and clapboard siding clad house built between 1912-1924 with influences from the Craftsman Bungalow architectural style. The Property has a narrow asphalt driveway to the northeast of the house. It has a concrete walkway that curves from Spruce Street to the front porch and over to the driveway. The walkway divides the front yard into two distinct sides. The north side – between the driveway and walkway—is a garden with several shrubs and perennial flowers. The south side—between the walkway and southwest property line—has garden areas, some lawn, a mature Maple tree and a tall hedge along the southwest property line (Photo 7).



Photo 7: View southeast showing the primary, northwest elevation of the house

5.3.1 House Exterior

The house is a single-detached, rectangular building with two additions. The main house is approximately 8.5 metres wide and 9.4 metres deep. The first addition was constructed on the building's southeast elevation, adding an additional 2.5 (approximately) metres to the house's depth. A third, rear wing addition measuring approximately 4.9 metres by 3.7 metres is located on the southwest side of the house's southeast elevation. The house is two-and-half storeys, has a full below grade basement under its main section, and has a crawlspace under its additions. All foundation walls are concrete (see Section 5.3.2) (Photo 8). The façade has three bays. The main floor exterior wall is composed of brick set in a stretcher bond (Photo 9). The gable ends are clad in cedar shakes and the dormers and the additions are clad in clapboard siding (Photo 10 through Photo 12). Most exterior surfaces have been painted yellow. The house has a side gable roof with pent eave. It has asphalt shingles. The gable roof and pent eave moderately project from the house's northeast and southwest elevations. The roof extends over the house's front porch, creating a verandah (Photo 13). A single shed dormer is located on the upper half storey of the house's northwest and southeast elevations. The shed dormer roofs are clad in asphalt shingles and have shallow projecting eaves (Photo 11). A partially exterior, single stack chimney with two flues is located on the house's southwest elevation (Photo 14). The chimney is set in stretcher bond brick that has been painted yellow below the peak of the gable roof. Above the gable roof, the brick is unpainted and is dark red.

A typical first storey window has a shallow segmental arch structural opening with a header composed of a single row of soldier course brick, simple trim within the structural opening, and rock-faced concrete lug sill (Photo 15). Windows are typically composed of two mulled units each with a double-hung opening mechanism. Several additional window styles also appear on

the first storey. On the northeast elevation there is a window composed of three mullied units that shares the same general configuration as a typical first storey window (Photo 16). Windows on the building's additions also differ from the typical style. The westmost window on the house's northeast elevation and the three northmost windows on the house's southeast elevation (first addition) are flatheaded, have simple trim, are arranged in a 4/2 pattern, and use a casement operating mechanism (Photo 17). Windows set into the rear wing addition are flatheaded, have simple trim, and are fixed panes (Photo 18).

Windows set into the gable ends on the second storey and upper half storey have flatheaded openings and simple trim on all sides outside of the structural openings. Windows typically have one unit and a double-hung opening mechanism. Windows set into the dormers have flatheaded openings and simple trim on all sides outside of the structural openings. Windows are typically composed of two mullied units each with a double-hung opening mechanism (Photo 19).

The main entrance is located in the northeast bay of northwest elevation. The main entrance has a flatheaded opening, leaded transom and sidelights, and a solid, single leaf door (Photo 20). The main entrance is accessed via the house's verandah. The verandah is covered by the house's projecting main roof, which has a deep overhang over the northwest elevation of the building. The roof is supported by four square tapered posts that are evenly distributed across the northwest elevation. The underside of the roof is composed of wood lath. The porch is accessed via a two-riser stairway that terminates at a wooden deck. The stairway has no handrail, and the porch is open (Photo 8). A secondary entrance is located on the northeast elevation of the rear wing addition. The secondary entrance has a flatheaded opening with simple trim. A single leaf sliding door with central glazing flanked by fixed, single pane windows compose the opening (Photo 18).

A rectangular pool in the backyard has a concrete deck and is separated from the remainder of the backyard by a short mesh fence (Photo 21).



Photo 8: View southeast showing the primary, northwest elevation of the house



Photo 9: View southeast showing a section of the painted stretcher bond brick



Photo 10: View southwest showing cedar shakes in the northeast gable end



Photo 11: View south showing the clapboard siding on the northwest dormer



Photo 12: View northeast showing the southeast elevation



Photo 13: View south showing the roof profile



Photo 14: View southeast showing the chimney



Photo 15: View east showing two typical first storey windows on the northwest elevation



Photo 16: View southwest showing the three-sash window on the northeast elevation



Photo 17: View northwest showing part of the northeast and southeast elevation of the first addition



Photo 18: View northwest showing the rear wing addition



Photo 19: View south showing gable end and dormer windows

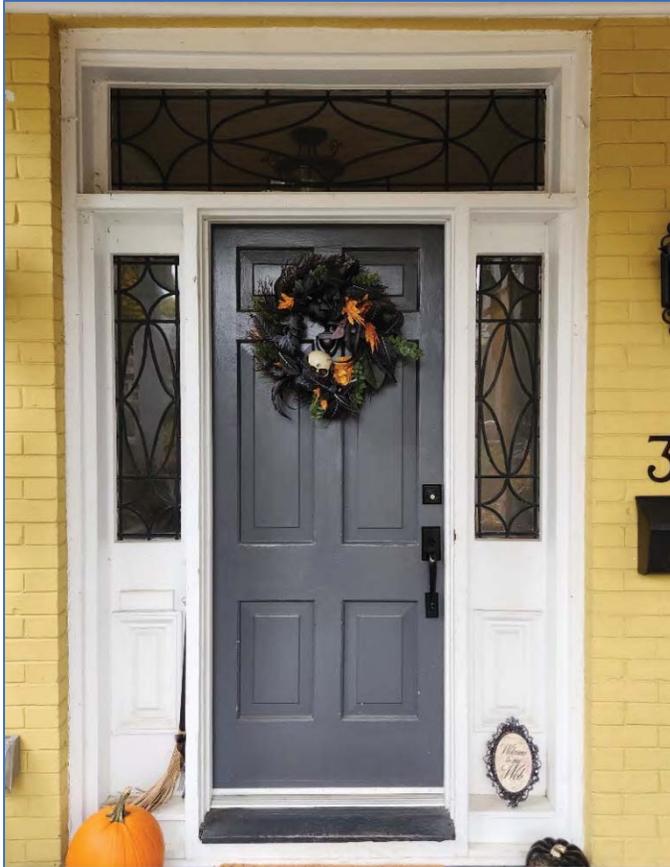


Photo 20: View southeast showing the main entrance



Photo 21: View east showing the backyard pool

5.3.2 House Interior

First Storey

Upon entering the house through the main entrance, the house's main hall is accessed. When looking southeast (straight ahead upon entry), a second storey stairway is to the left, the first storey's main hall is straight ahead, and an open doorway to the living room is along the southwest wall. The main hall has a dark brown wooden floor, white baseboard with rounded coping, smooth wallboard clad walls and ceiling, and decorative crown moulding (Photo 22).

The main hall provides access to the basement stairway and the kitchen. The kitchen is partially contained within the house's first addition and is accessible from an open doorway with a moulded header at the end of the hall. The kitchen has a dark brown wooden floor, white baseboards with rounded coping, smooth wallboard clad walls, and coffered ceiling composed of smooth wallboard with decorative crown moulding. The kitchen has white cupboards, stainless steel appliances, tiled backsplash, black granite countertop, and an island with wooden countertop (Photo 23). The first storey bathroom is in the west corner of the kitchen. The bathroom has a mosaic tiled floor, tile baseboards, walls clad in either wallboard or tile, and white fixtures (Photo 24). A stairway to the second storey is in the north corner of the kitchen.

The remainder of the first addition and rear wing addition, which includes a sunroom, is accessible through an opening on the kitchen's southwest wall or through an open doorway on the dining room's southeast wall. The sunroom has a dark brown wooden floor and white baseboards with rounded coping. The west section of the sunroom has smooth wallboard clad walls and coffered ceiling composed of smooth wallboard with decorative crown moulding. The east section of the sunroom has vertical wooden board clad walls and smooth wallboard clad ceiling with two skylights (Photo 25 and Photo 26).

The dining room is accessible through an open doorway with decorative moulding on the sunroom's southwest wall or through an open doorway on the living room's southeast wall. The dining room has a dark brown wooden floor, white baseboards with rounded coping, plain white wainscotting, grey painted wallboard clad wall, crown moulding, and wallboard ceiling with a stipple brush texture (Photo 27).

The living room is accessible through an open doorway with decorative moulding on the dining room's southeast wall or through an open doorway to the southwest of the foyer. The living room has a dark brown wooden floor, white baseboards with rounded coping, smooth wallboard clad walls, wallboard walls with stipple brush texture, and rounded crown moulding with stipple brush texture (Photo 28).



Photo 22: View southeast showing the main hall

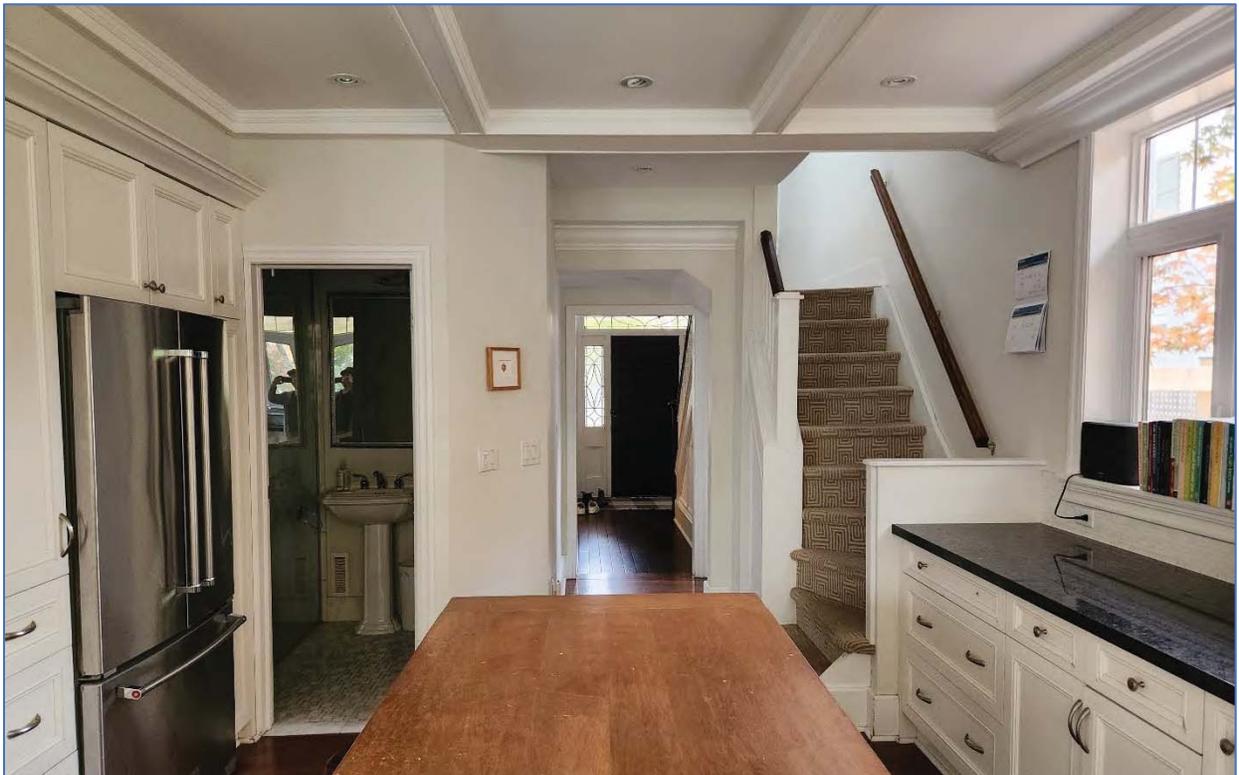


Photo 23: View northwest showing the kitchen



Photo 24: View northwest showing the first storey bathroom



Photo 25: View southwest from the kitchen showing the west section of the sunroom



Photo 26: View southeast showing the east section of the sunroom



Photo 27: View southeast from the living room showing the dining room



Photo 28: View northeast showing the living room

Second Storey

The second storey is accessible by a stairway attached to the foyer or kitchen of the first storey. The stairway attached to the main hall has an “L” shape and the stairway attached to the kitchen has a “U” shape. Both stairways meet at a centrally located landing on the building’s northeast wall before continuing upwards and terminating at the main hall of the second storey. The stairway attached to the foyer has wooden treads that are partially carpeted, a wooden handrail and newel posts, and turned baluster. The stairway attached to the kitchen has carpeted treads, a wooden handrail, and turned baluster (Photo 29 and Photo 30).

The second storey hall has a light wood floor, white baseboards with rounded coping, smooth wallboard clad walls and ceiling, and crown moulding. It has four rooms, two on either side of the hall (Photo 31). The northeast, southeast, and northwest rooms are each bedrooms and generally share like materials. They each have a light wood floor, white baseboards with rounded coping, smooth wallboard clad walls and ceiling, and crown moulding (Photo 32 through Photo 34). The northwest bedroom and northeast bedrooms also have fireplaces. The fireplace in the northeast bedroom has a wooden mantle and the fireplace in the northwest bedroom has a cast iron firebox, wooden mantle, and tiled hearth (Photo 35 through Photo 37). The northwest bedroom has a four-piece ensuite bathroom accessed through its southeast wall. The ensuite bathroom has a light wood and tiled floor, white baseboards with rounded coping, smooth wallboard clad walls and ceiling, and crown moulding (Photo 38).

The second floor also has a three-piece bathroom on its northeast side. The bathroom has a tiled floor, white baseboards with rounded coping, smooth wallboard clad walls and ceiling, and crown moulding (Photo 39).

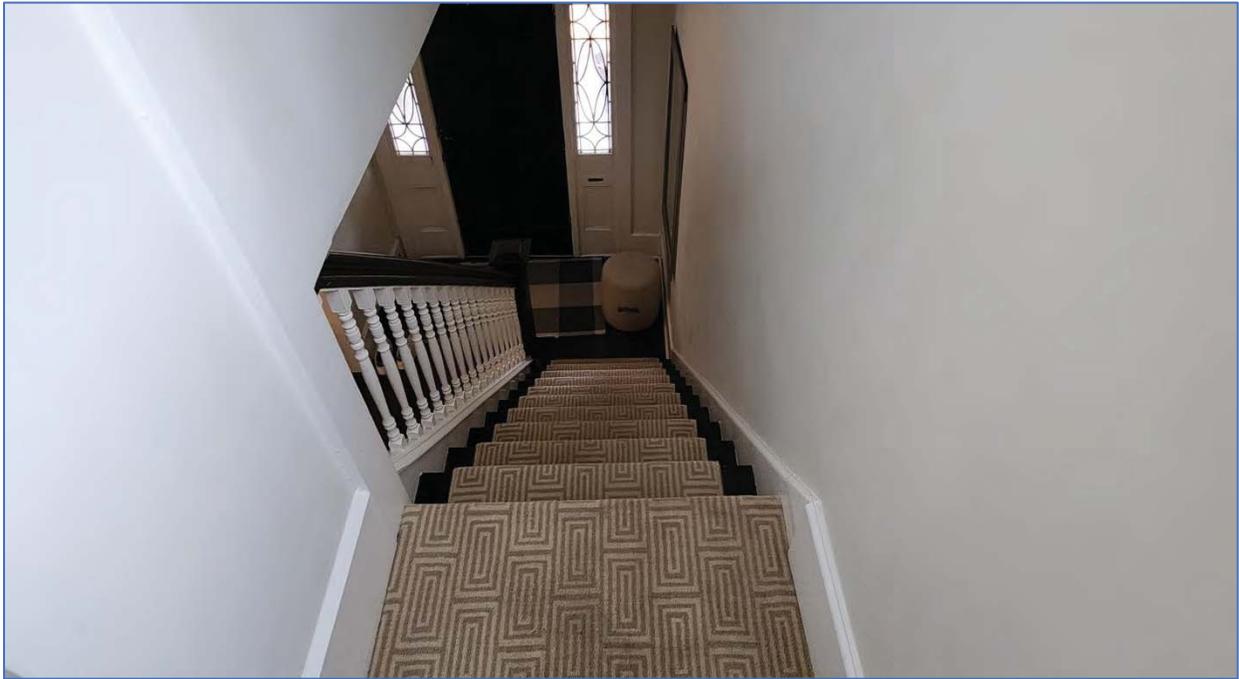


Photo 29: View northwest showing the stairway attached to the main hall

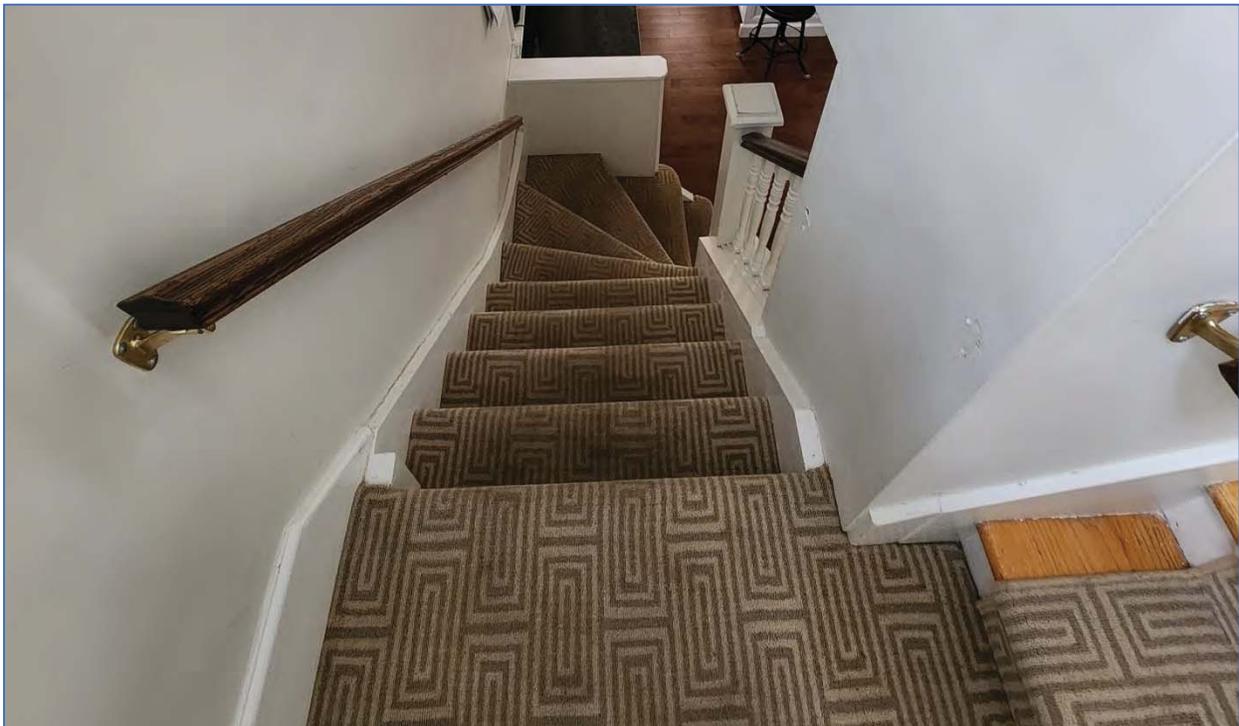


Photo 30: View southeast showing the stairway attached to the kitchen

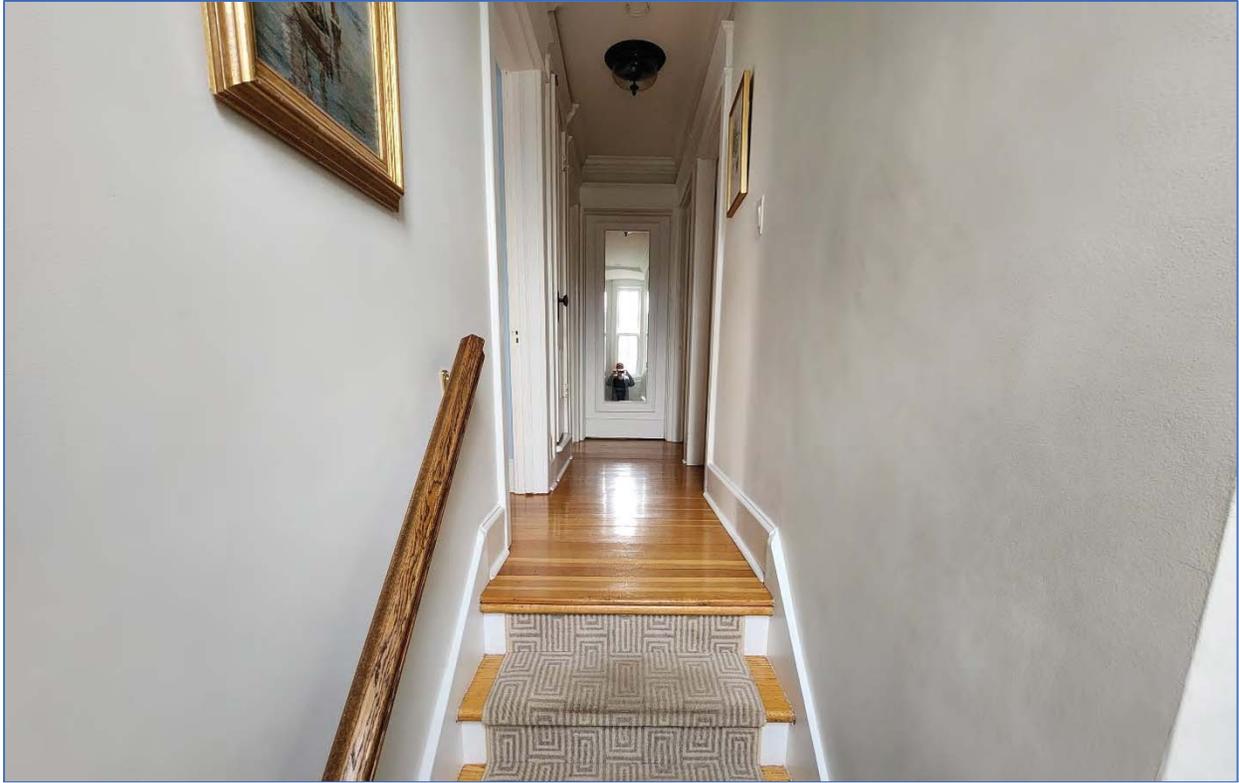


Photo 31: View southwest showing the second storey hall



Photo 32: View northwest showing the northeast bedroom



Photo 33: View southeast showing the southeast bedroom

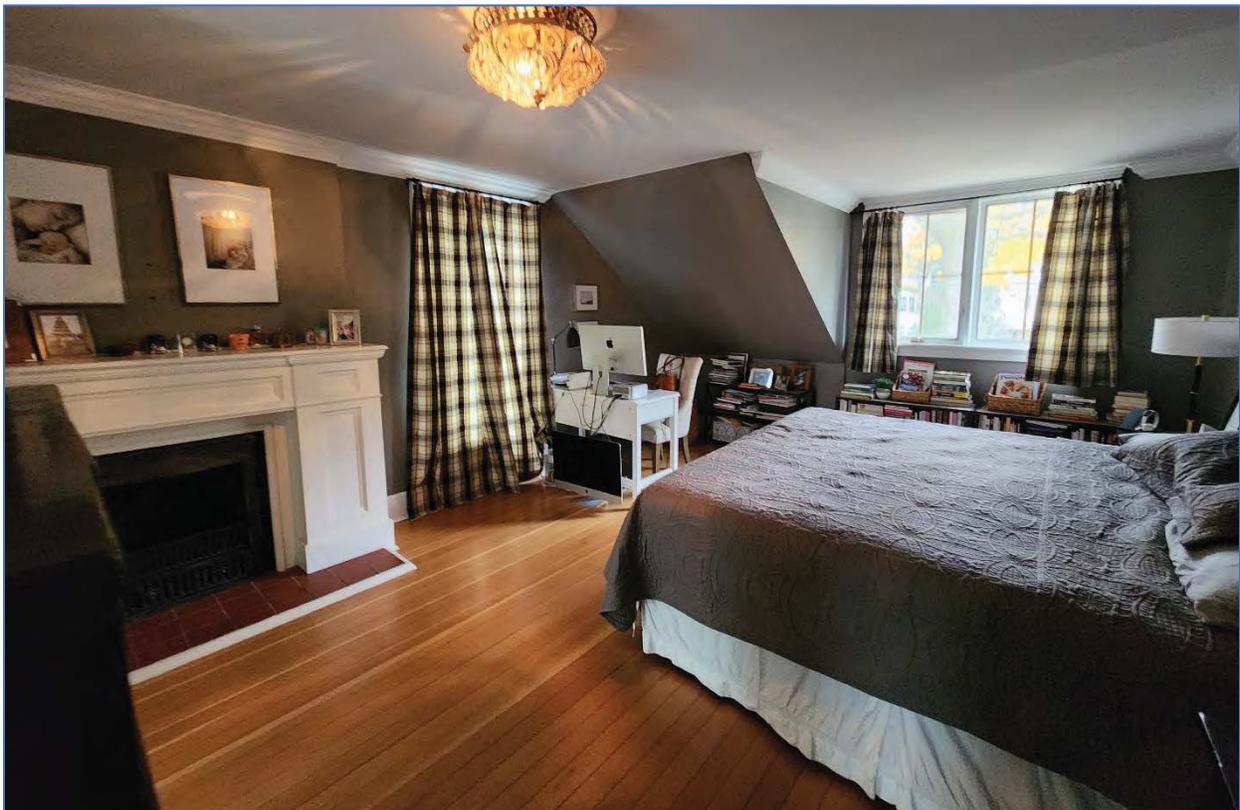


Photo 34: View northwest showing the northwest bedroom



Photo 35: View southwest showing the fireplace in the northwest bedroom



Photo 36: View southwest showing the fireplace in the northwest bedroom



Photo 37: View north showing the fireplace in the northeast bedroom



Photo 38: View southeast from the northwest bedroom showing the ensuite bathroom



Photo 39: View southeast showing the second storey bathroom

Upper Half Storey

The house's upper half storey is accessed by a "U" shaped winder stairway accessible from the north side of the second storey's hall. The stairway is composed of wooden treads that are partially carpeted and a wooden handrail (Photo 40). The upper half storey has a bedroom, library, and washroom. The bedroom is located in the upper half storey's north section and the library is located in the upper half storey's south section. Both rooms use the same materials including a wooden floor, white baseboards with rounded coping, smooth wallboard clad walls and ceiling, and crown moulding (Photo 41). A three-piece bathroom is located between the bedroom and library on the northwest side of the upper half storey. The bathroom was not accessed in full during the site visit.



Photo 40: View northeast showing the “U” shaped stairway leading to the upper half storey



Photo 41: View southwest showing the bedroom and library in the upper half storey

Basement

The house's basement is accessed by an "L" shaped stairway accessible from the first storey's southeast quadrant near the kitchen (Photo 42). The stairway has carpeted treads and a wooden handrail. The basement is divided into three rooms including a multi-purpose room and two storage rooms. The multi-purpose room is the largest room in the basement and is divided into a laundry section and theatre section. Both sections have a tiled floor, painted wood panelled walls, and smooth wallboard clad ceiling (Photo 43 and Photo 44).

The larger, eastmost storage room is accessed through a door near the bottom of the basement stairway. The storage room has a painted concrete floor; walls clad in a range of materials, including wood, cork, and wallboard; and an exposed ceiling (Photo 45). The smaller, westmost storage room is accessed through a door on the northwest basement wall near the laundry area. The smaller storage room has a painted concrete floor; walls clad in a range of materials, including wood, cork, and wallboard; and an exposed ceiling (Photo 46).

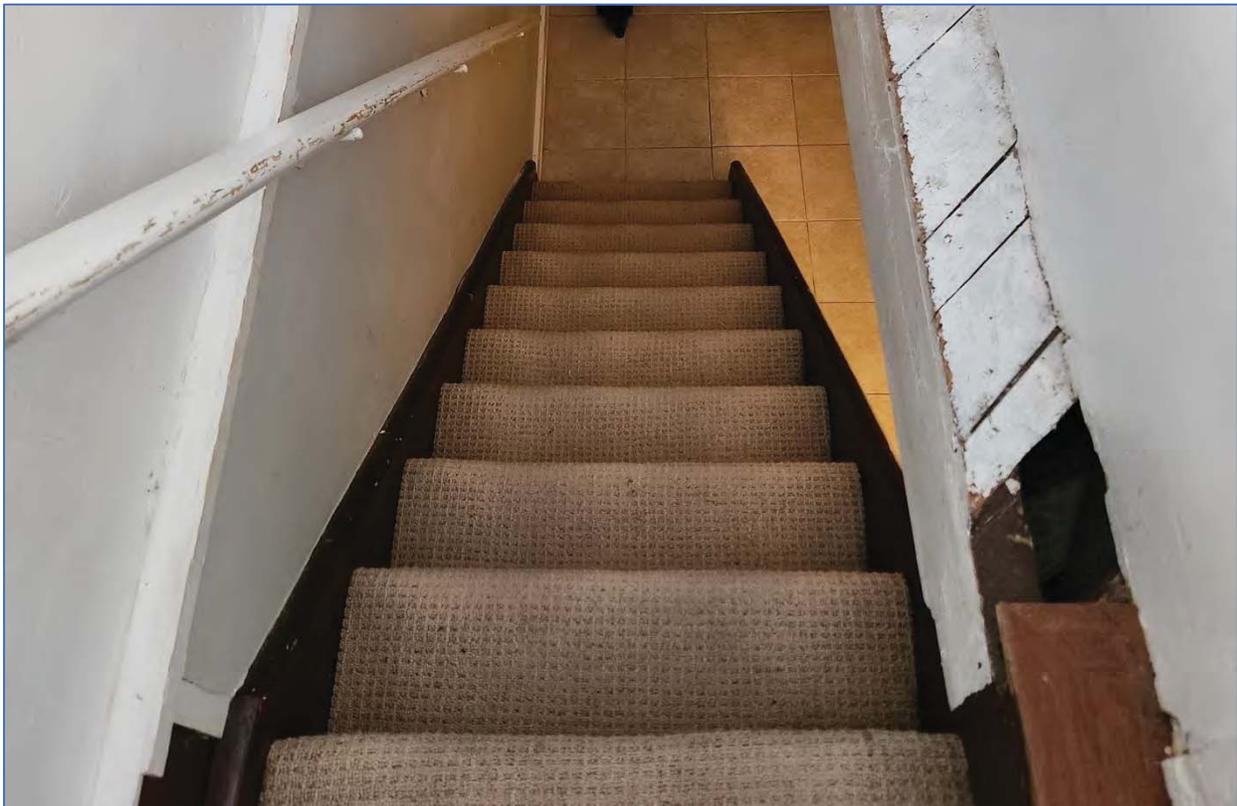


Photo 42: View southwest showing the basement stairway



Photo 43: View southeast showing the laundry section of the basement



Photo 44: View southwest showing the theatre section of the basement



Photo 45: View southwest showing the eastmost storage room in the basement

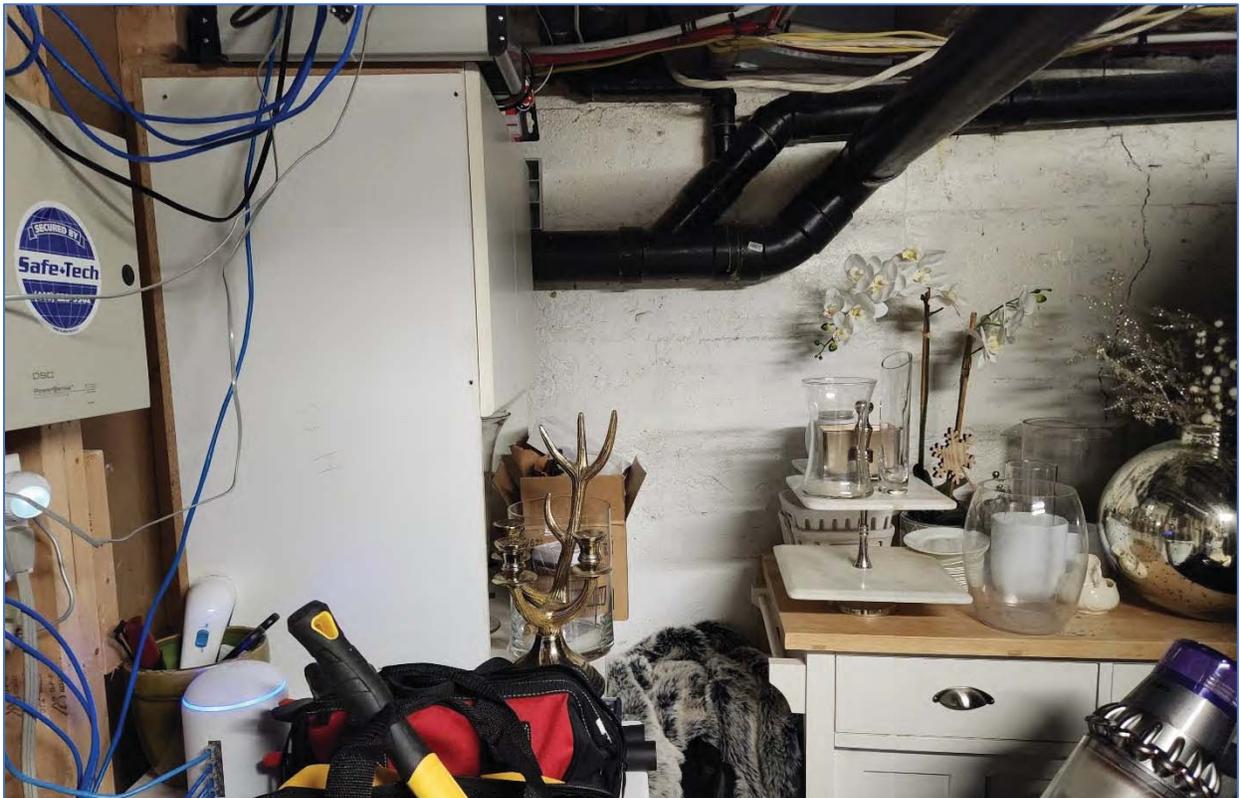


Photo 46: View southwest showing the westmost storage room in the basement

5.4 Analysis

5.4.1 Architectural Analysis

The house on the Property displays influences from the Craftsman Bungalow architectural style. The Bungalow style first appeared in India in the 19th century, where it referred to a temporary, one storey seasonal dwelling surrounded by a verandah. In North America, the style was popularized in California at the turn of the 20th century before becoming common in Canada around 1910. Supporting the popularity of Bungalow development was Henry Saylor's book entitled 'Bungalows' which was published in 1913. In this book, Saylor describes different Bungalow variations ranging from seasonal dwellings to two-storey houses.⁹⁰ Although the term 'Bungalow' originally referred to one-storey seasonal or temporary dwellings, it eventually evolved – broadened – to refer to any dwelling that gave the appearance of being one storey. By definition, 'Bungalow' describes the general form and massing of a building as opposed to a distinct architectural style (i.e., not all Bungalows are Craftsman Bungalows) (see Figure 12).⁹¹ Characteristics of a Bungalow include a simple floor plan; low massing profile giving the appearance of the building being one storey as viewed from the street; and a broad, gently pitched roof that covers the front porch/verandah, sunroom, or sleeping porch.

Where 'Bungalow' refers to a building's general form and massing, 'Craftsman' refers to a specific architectural style: Arts and Crafts. The Arts and Crafts style began in England in the mid 19th century as a response to the country's ongoing industrialization. Philosophically, the Arts and Crafts movement rejected the replacement of craftsmen with machines. In the domain of architecture, Arts and Crafts buildings were developed as a component of natural environment. Emphasis was placed on a building's orientation with gardens and other natural features present on site and built elements, such as windows, were oriented to maximize daylight. The buildings themselves also had distinct characteristics, including the use of a range of external materials, with common combinations being stone/brick and siding or shingles; exposed structural framing members at gable ends, eaves, and roof supporting structures including purlins, rafters, plates, braces, and posts; at least one brick or stone chimney; and windows that are typically grouped (mullied) in twos or threes. Eclectic additions are also common including Tudor arches, Palladian windows, and pantile clad roof.⁹²

The house exhibits Bungalow influences through its simple floor plan, one-and-a-half storey appearance from Spruce Street, shed dormers forming the second storey, and broad side gable roof that extends over the verandah. The house also exhibits Arts and Crafts (Craftsman) influences through its connection with the front yard gardens; use of a variety of external cladding materials including brick, cedar shakes, and clapboard siding; brick chimney; and windows grouped in twos and threes.

⁹⁰ Blumenson, J. "Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present." Toronto: Fitzhenry & Whiteside, 1990.

⁹¹ Lancaster, C. 1985. "The American Bungalow, 1880-1930." New York: Abbeville Press.

⁹² Blumenson, J. "Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present."

It should be noted that much of the interior of the house has been renovated and modernized. Older intact features include window and door trim, baseboards, cold air return vents, and fireplaces.

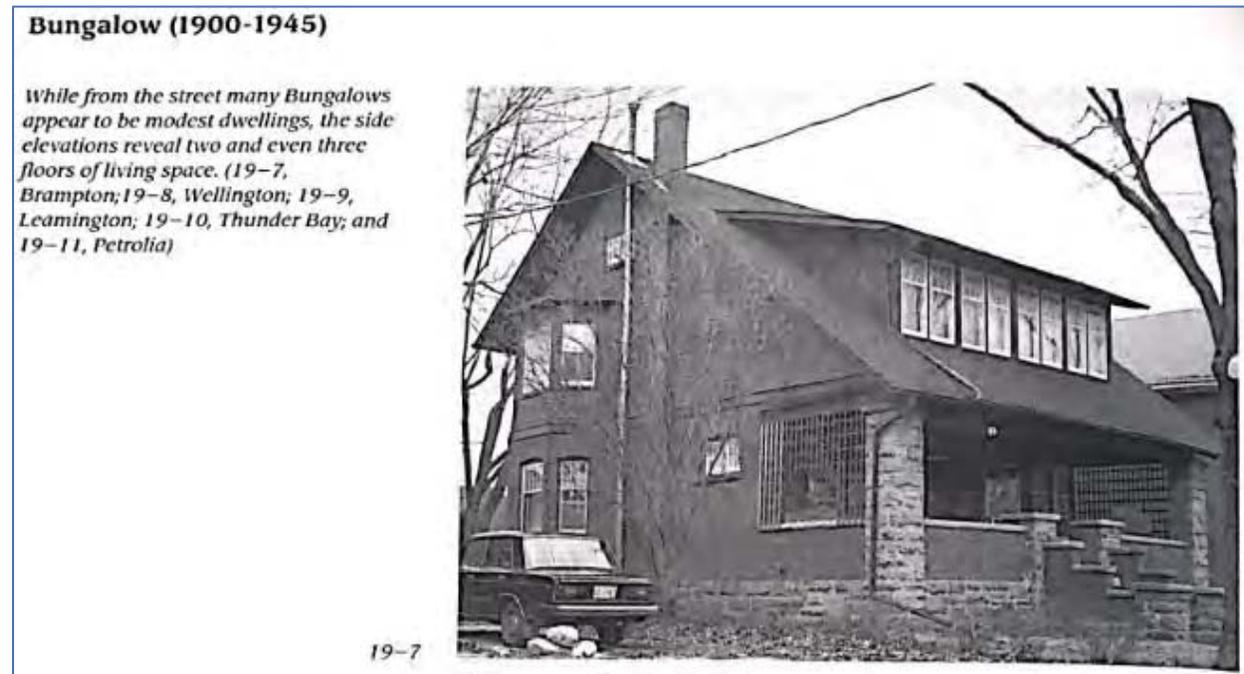


Figure 12: Example of a Bungalow.⁹³

5.4.2 Architectural Comparative Analysis

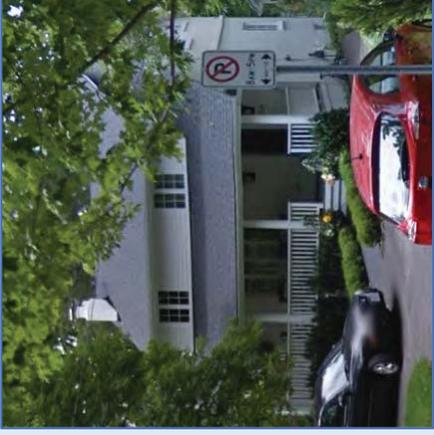
The Town of Oakville has previously listed properties under Section 27 Part IV of the *OHA*, designated properties under Section 29 Part IV of the *OHA*, and designated properties under Section 41 Part V of the *OHA* that exhibit similar Craftsman Bungalow architectural influences to the house on the Property. Table 5 identifies several comparable properties.

The house on the Property shares several architectural details commonly found on the properties described in Table 5, including its height as perceived from the road, use of several external cladding materials, broad gable roof extending over the verandah, shed dormer, brick chimney, and window arrangements. Although the house on the property exhibits some common characteristics of the Craftsman Bungalow architectural style, there are examples that more closely align with the style's description, as identified in Section 5.4.1. Accordingly, although it is an example of a building influenced by the Craftsman Bungalow style, it is not a particularly representative version.

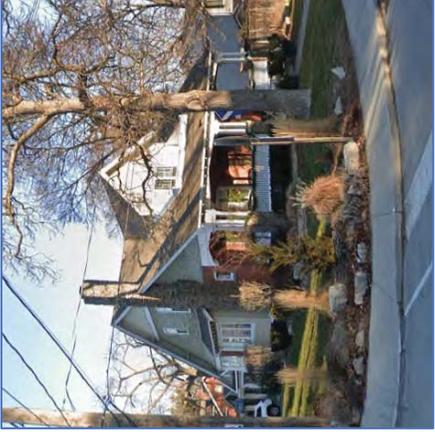
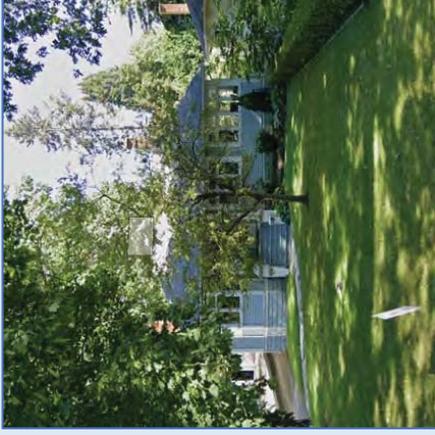
The Designation By-laws and research reports for the properties identified in Table 5, as available, are appended in Appendix E.

⁹³ Blumenson, J. "Ontario Architecture: A Guide to Styles and Building Terms 1784 to the Present." 180.

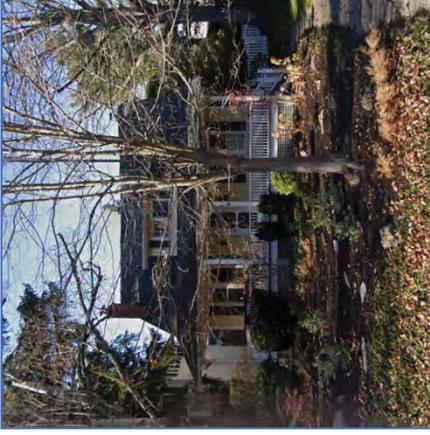
Table 5: Listed and Designated Bungalows on the Town's Municipal Heritage Register

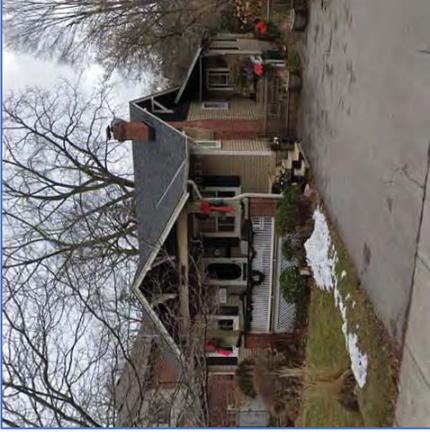
Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>376 Douglas Avenue</p>	<p>Designated, Section 29 Part IV OHA By-law 2011-097</p>	<ul style="list-style-type: none"> • Form of the original 1- 1/2 storey house; • Poured concrete foundation; • Steeply pitched gable roof; • The placement of the shed dormer window on the roof; • Wide wood eaves, exposed rafter tails, soffits and fascia; • Brick chimneys; • All historic wood windows; • Rough faced stone sills and lintels on the first storey; • Wood trim, surrounds and sills on the second storey; • Brick voussoirs; • Exterior entrance doors, including entrance door within enclosed porch; • Brick and stucco clad exterior walls (not including rear addition); • Enclosed front porch, including wood walls, windows and columns.⁹⁴ 	 <p>(Google Streetview, 2023)</p>

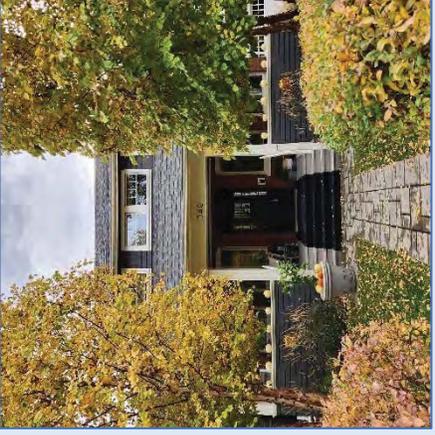
⁹⁴ Town of Oakville. "By-law 2011-097." Enacted 26 September 2011. Accessed 26 October 2023. <https://www.heritagetrust.on.ca/oha/details/file?id=7253>.

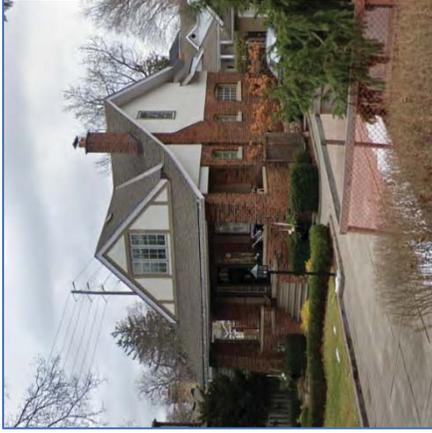
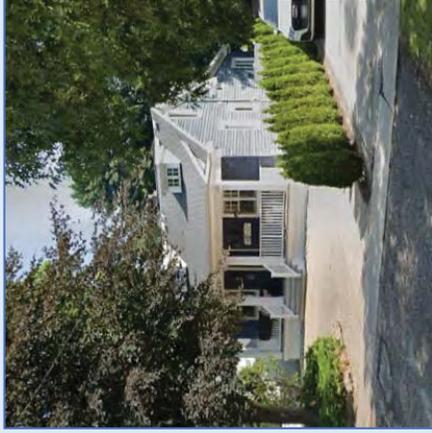
Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>361 MacDonald Road</p>	<p>Listed, Section 27 Part IV OHA</p>	<ul style="list-style-type: none"> • One-and-a-half storey height; • Brick, concrete block, coursed rubblestone, and cedar shake cladding; • Exposed rafters on the roof of the southeast elevation; • Broad, cross gable roof that covers the verandah on the southeast elevation; • Large, gable dormer centrally located on the southeast elevation; • Coursed rubblestone piers supporting the verandah’s structural members; • Coursed rubblestone chimney; • Window groupings of two and three. 	 <p>(Google Streetview, 2023)</p>
<p>374 Maple Avenue</p>	<p>Designated, Section 29 Part IV OHA By-law 2011-061</p>	<ul style="list-style-type: none"> • Form of the 1 storey cottage • Concrete block foundation; • Low pitch hipped roof with wide eaves and exposed rafter tails; • Wooden vented lantern; • Double stack brick chimney; • Fixed windows with leaded transoms; • Windows with wood transoms; • All exterior doors (excluding screen doors); • Wood window, door and roof trim; • Wood soffits and fascia; • Horizontal wood clad exterior walls; • Front porch, including exposed roof rafters and tails, columns, stairs and railings.⁹⁵ 	 <p>(Google Streetview, 2023)</p>

⁹⁵ Town of Oakville. “By-law 2011-061.” Enacted 13 June 2011. Accessed 26 October 2023. <https://www.heritagetrust.on.ca/oha/details/file?id=7227>.

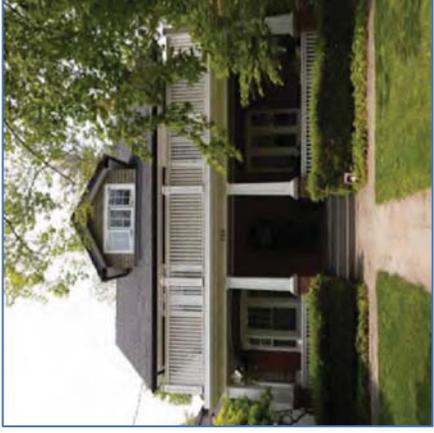
Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>339 Palmer Avenue</p>	<p>Designated, Section 41 Part V OHA By-law 1994-134</p>	<ul style="list-style-type: none"> ● One-and-a-half storey height; ● Stucco, clapboard, and cedar shake cladding; ● Broad, side gable roof that covers the verandah on the southeast elevation; ● Shed dormer centrally located on the southeast elevation; ● Two red brick, single flue chimneys; ● Window groupings of two on the southeast elevation. 	 <p>(Google Streetview, 2023)</p>
<p>348 Palmer Avenue</p>	<p>Designated, Section 41 Part V OHA By-law 1994-134</p>	<ul style="list-style-type: none"> ● One-and-a-half storey height; ● Concrete block foundation wall; ● Clapboard cladding; ● Broad, side gable roof that covers the verandah on the northwest elevation; ● Shed dormer centrally located on the southeast elevation; ● Red brick, single flue chimney; ● Window groupings of two on the dormer. 	 <p>(Google Streetview, 2023)</p>

Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>226 Reynolds Street</p>	<p>Designated, Section 41 Part V OHA By-law 1994-134</p>	<ul style="list-style-type: none"> • One storey height; • Concrete block foundation wall; • Clapboard siding; • Exposed brackets on the roof of the northeast elevation; • Broad, low-pitched cross gable roof that covers the verandah on the northeast elevation; • Red brick chimney set in stretcher bond; • Window groupings of two on the northeast elevation. 	 <p>(Google Streetview, 2023)</p>
<p>230 Reynolds Street</p>	<p>Designated, Section 41 Part V OHA By-law 1994-134</p>	<ul style="list-style-type: none"> • One storey height; • Concrete foundation wall; • Dark red/brown brick cladding set in stretcher bond; • Exposed brackets on the roof of the northeast elevation; • Broad, low-pitched hipped roof with dormers on the northeast, southeast, and northwest elevations; • Dark red/brown brick chimney set in stretcher bond; • Window groupings of two and three on the northeast elevation. 	 <p>(Google Streetview, 2023)</p>

Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>409 Reynolds Street</p>	<p>Listed, Section 27 Part IV OHA</p>	<ul style="list-style-type: none"> • Two storey height; • Clapboard and cedar shake cladding; • Broad, side gable roof that covers the verandah on the southwest elevation; • Large, shed dormer centrally located on the southwest elevation; • Red brick, double flue chimney; • Window groupings of two and three on the southwest elevation. 	 <p>(Google Streetview, 2023)</p>
<p>338-340 Spruce Street</p>	<p>Designated, Section 29 Part IV OHA By-law 2018-014</p>	<ul style="list-style-type: none"> • 2 ½ storey form of the building and gable roof with front shed dormer; • Brick cladding on the first storey; • The use of wood shingle cladding on the front shed dormer, the walls of the front porch, the first and second storey bay window on the west elevation, the west and east gables and the first storey of the east elevation; • Wood porch columns; • The use of wood floors and wood ceiling on the front porch; • The fenestration on the first storey of the north elevation; • The four sets of leaded glass windows on the north elevation, including all wood trim and wood storm windows; and 	 <p>(Google Streetview, 2023)</p>

Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>348 Spruce Street</p>	<p>Listed, Section 27 Part IV OHA</p>	<ul style="list-style-type: none"> • The sidelights and transom windows, including all wood trim, on the north elevation front entrance.⁹⁶ • One-and-a-half storey height; • Brick and stucco cladding with half timbering; • Broad, side gable roof that covers the verandah on the northwest elevation; • Gable dormer centrally located on the northwest elevation; • Red brick, single flue chimney; • Window groupings of two on the northwest elevation. 	 <p>(Google Streetview, 2023)</p>
<p>411 Trafalgar Road</p>	<p>Designated, Section 41 Part V OHA By-law 1994-134</p>	<ul style="list-style-type: none"> • One storey height; • Clapboard cladding; • Side gable roof that covers the verandah on the southwest elevation; • Shed dormers evenly spaced on the southwest elevation; • Red brick, single flue chimney; • Window groupings of two on the southwest elevation. 	

⁹⁶ Town of Oakville. "By-law 2018-014." Amended 5 July 2021. Accessed 26 October 2023. <https://pub-oakville.escrībemeetings.com/filestream.ashx?DocumentId=1536>.

Address	Heritage Recognition	By-law Heritage Attributes; Present Attributes Common of Bungalows	Image
<p>356 Watson Avenue</p>	<p>Designated, Section 29 Part IV OHA (Notice of Intention to Designate issued)</p>	<ul style="list-style-type: none"> • The massing and form of the two-and-a-half storey building with side gable roof and centred front and rear dormers; • Red brick cladding; • Cedar shingle cladding; • Red brick chimney; • Concrete window sills; • Large front verandah with tapered wooden pillars, brick plinths and wooden railings on the first floor; • Fenestration on the south, east, and north elevations; • Multi-paned windows that reflect the style and pane division of the original windows; • Remaining wood trim, soffits, and fascia; and • Lakestone foundation above grade.⁹⁷ 	<p>(Google Streetview, 2023)</p>  <p>⁹⁸</p>

⁹⁷ Town of Oakville. "Notice of intention to designate - 356 Watson Avenue." Last updated 16 August 2023. Accessed 26 October 2023. <https://www.oakville.ca/town-hall/news-notices/2023-planning-public-notices-archives/notice-of-intention-to-designate-356-watson-avenue/>.

⁹⁸ McLaughlin, K. and Van Sligtenhorst, C. "Cultural Heritage Evaluation Report: Turner House 356 Watson Avenue, Oakville, Ontario." June 2023. <https://docplayer.net/235470651-Cultural-heritage-evaluation-report-turner-house-356-watson-avenue-oakville-ontario.html>.

5.4.3 Analysis of Heritage Integrity

Streetscape and Context

Incremental change in the Property's immediate context has been ongoing since the creation and initial development of the 'Brantwood Annex'. A significant wave of change occurred on Spruce Street between around 1950 and 1970. During this time, new buildings were constructed on 318 Spruce Street, 328 Spruce Street, 319 MacDonald Road, 333 MacDonald Road, and 395 Reynolds Street. A new building had also been built on Spruce Street near its intersection with Reynolds Street. Notably, this building was oriented directly towards Spruce Street and did not have a slight northward orientation. By 2002, a new building had been constructed at 327 MacDonald Road and additions had been built on the houses at 325 Spruce Street and 347 Spruce Street. In general, these developments respected the form, scale, massing, material use, and setback distances established during the first half of the 20th century.

Since 2015, four new houses have been built on Spruce Street, including those at 315 Spruce Street, 343 Spruce Street, 344 Spruce Street, and 351 Spruce Street. Although these buildings share a similar scale and setback with preceding buildings, they generally use massing patterns, materials, and colour schemes that are inconsistent. These newer buildings are clear products of the 21st century and detract from the early-20th century character of the area.

Building on the Property

The building's two additions have altered its general massing and configuration and are distinguishable from the main building from their cladding type and window configurations. The variation between the design and material use of the main building and the additions interrupts its legibility as a Craftsman Bungalow. Nevertheless, these divergences from the main building are located towards the rear of the building and are not readily apparent when observed from the public right-of-way.

As described in Section 2.6, heritage integrity is not necessarily related to physical condition or structural stability; however, it is a consideration for the building on the Property. The Owner retained Carmazan Engineering Inc. to prepare a Structural and Building Engineering Assessment of the house. The report concluded that:

The original part of the home needs major structural adjustments that will trigger design, building permits and extensive work. The home cannot be occupied while construction will take place.

Additions 1 and 2 will also need major structural adjustments. Lowering the foundation wall to a min 48" below grade and add footings. This task will also require engineering and permitting and will be a very extensive and time consuming task, considering the limited space to the property lines.

Overall exterior cladding brick and siding will need repairs and replacement.

Based on the findings above and their structural deficiencies we consider the structure of the original and additions structurally unstable. The structure is not in an immediate danger to collapse, and repairs should be made in a very timely manner before another cold season and loading on main and second floor shall be limited.

Although the building's visual appearance, as observed from Spruce Street, has remained largely unchanged, structural repairs and repair or replacement of brick and siding is required. In the context of this project and regarding the Property's heritage integrity, there is overall little difference between the replacement of individual materials and the replacement of the entire building with sympathetic new construction. Because of the breadth of adjustments that the existing building requires, its integrity is likely to be affected to the same degree as if it were to be replaced with a new building.

6.0 UNDERSTANDING OF CULTURAL HERITAGE VALUE OR INTEREST

The Property at 324 Spruce Street was evaluated against *O. Reg. 9/06* under the *OHA* using research and analysis presented in Section 4.0 and Section 5.0 of this HIA. The findings are presented in Table 6 below.

Table 6: Ontario Regulation 9/06 Evaluation for 324 Spruce Street

Criteria	Criteria Met	Justification
1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.	N	<p>This criterion is not met. The Property does not have design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.</p> <p>The 1912-1924 house on the Property is not a representative example of the Craftsman Bungalow architectural style. Representative, as described by the MCM, means that a building is a ‘portrayal’ or ‘symbol’ of a specific style.⁹⁹ The house exhibits Bungalow influences through its simple floor plan, one-and-a-half storey appearance from Spruce Street, broad side gable roof that extends over the verandah, and shed dormers forming the second storey. The house also exhibits Craftsman influences through its use of a variety of external cladding materials including brick, cedar shakes, and clapboard siding; brick chimney; and mulled windows grouped in twos and threes. Despite these notable influences, they are not at an intensity that makes the building a portrayal or symbol of either style (see Section 5.3 and Section 5.4).</p> <p>The house on the Property is not a rare, unique, or early example of a Craftsman Bungalow. Craftsman Bungalows, some of which predate that on the Property, are common within the surrounding area, including in the Brantwood Annex, Brantwood Plan, Tuxedo Park, and Trafalgar Road Heritage Conservation District (see Section 5.5).</p>

⁹⁹ Ministry of Citizenship and Multiculturalism. “Standards & Guidelines for Conservation of Provincial Heritage properties, Heritage Identification & Evaluation Process.” Last updated 28 April 2010. Accessed 26 October 2023. <https://files.ontario.ca/mhstci-standards-guidelines-heritage-properties-en-2022-04-29.pdf>.

Criteria	Criteria Met	Justification
<p>2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.</p>	<p>N</p>	<p>This criterion is not met. The Property does not have design value or physical value because it displays a high degree of craftsmanship or artistic merit. There is no evidence to suggest that the Property meets this criterion (see Section 4.5 and Section 5.3).</p>
<p>3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.</p>	<p>N</p>	<p>This criterion is not met. The Property does not have design value or physical value because it demonstrates a high degree of technical or scientific achievement. There is no evidence to suggest that the Property meets this criterion (see Section 4.5 and Section 5.3).</p>
<p>4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.</p>	<p>N</p>	<p>This criterion is not met. The Property does not have historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.</p> <p>As part of the ‘Brantwood Annex’, the Property is associated with Oakville’s early 20th century residential development and transformation from a seasonal resort town to a bedroom community for the City of Toronto and the City of Hamilton. However, the ‘Brantwood Annex’ was a small addition to the preceding ‘Brantwood Plan’, created in 1907. The ‘Brantwood Annex’ is therefore best understood as a continuation of Oakville’s development and transformation.</p> <p>Likewise, the Property itself lacks direct association with any notable themes. The Property was severed, sold, and developed as a residential property like fifteen of the other sixteen properties included within the ‘Brantwood Annex’ (see Section 4.5).</p> <p>The Property is directly associated with Mary Oliphant, Kenneth W. and Serena MacTaggart, Nancy C. Wolfrain,</p>

Criteria	Criteria Met	Justification
		<p>Peter and Gwynneth Cowen, Terrance P. and Carol A. O'Connor, and Gordon R. and Claudette L. Herington. Research into each of these parties did not reveal any direct historical associations that are significant to a specific community (see Section 4.5).</p>
<p>5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.</p>	<p>N</p>	<p>This criterion is not met. The Property does not have historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture. There is no evidence to suggest that the Property meets this criterion (see Section 4.5).</p>
<p>6. The property has historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.</p>	<p>N</p>	<p>This criterion is not met. The Property does not have historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community. An architect, artist, builder, designer or theorist was not identified for the building on the Property (see Section 4.5.2).</p>

Criteria	Criteria Met	Justification
<p>7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.</p>	<p>Y</p>	<p>This criterion is met. The Property is important in maintaining the character of an area. The area is dominated by single-detached, one to two-and-a-half storey houses composed of a range of materials including brick, board and batten siding, stucco, and cedar shakes. Several buildings in the area are designed in, or influenced by, the Bungalow or Craftsman Bungalow architecture style.</p> <p>Buildings in the vicinity are generally moderately setback from the street and situated on narrow, parallelogram or rectangular lots. In particular, the Property helps maintain the character of Plan 121 (the ‘Brantwood Annex’ / ‘Tuxedo Manor’) because the building is slightly angled to the north, a characteristic exclusive to buildings in the Plan’s area.</p> <p>Properties in the area also typically have mature deciduous and/or coniferous trees in their front and rear yards as well as hedges, shrubs, juvenile coniferous and/or deciduous, and gardens with perennial flowers in their front yards. The physical configuration of the Property and the form, massing, and siting of the building on the Property are consistent with the surrounding area.</p> <p>Additionally, although contemporary development and alterations made to other early- to mid-20th century houses in the vicinity have largely been sympathetic, they have nonetheless altered its character. In contrast, the Property has undergone minimal change since its development, reinforcing its value in maintaining the character of the area (see Section 5.1).</p>

Criteria	Criteria Met	Justification
<p>8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.</p>	<p>N</p>	<p>This criterion is not met. The Property does not have contextual value because it is physically, functionally, visually, or historically linked to its surroundings.</p> <p>The MCM defines ‘link’ as “a connection or relationship” and further as “[s]urroundings: all objects, conditions, etc., that are around, that may affect a property”.¹⁰⁰</p> <p>The Property has no physical links because there are no material connections that exist between the Property and its surroundings. The Property has no functional links because it is not necessary to fulfill a particular purpose. The property has continuously been used as a house and there is no evidence to suggest that it served any purpose beyond this or was in any way associated with its broader context.</p> <p>The Property has no visual links because there are no conditions in its context that affect it. The Property has no clear visual ties to any objects or conditions in its immediate vicinity.</p> <p>The Property has no historical links because, although it was created and developed as part of Plan 121, there exists no tangible connections between the house and the plan itself. As outlined in Table 2, although Plan 121 forms the basis for the cohesive nature of the surrounding streetscape, it has evolved over time and no historical links were identified between the Property and surrounding properties (see Section 4.5, Section 5.1, and Section 5.4.2).</p>

¹⁰⁰ Ministry of Citizenship and Multiculturalism. “Standards & Guidelines for Conservation of Provincial Heritage properties, Heritage Identification & Evaluation Process. 17.

Criteria	Criteria Met	Justification
9. The property has contextual value because it is a landmark.	N	<p>This criterion is not met. The building on the Property is not a landmark, which is defined by the MCM as being:</p> <p style="padding-left: 40px;">“...a recognizable natural or human-made feature used for a point of reference that helps orienting in a familiar or unfamiliar environment; it may mark an event or development; it may be conspicuous.”¹⁰¹</p> <p>There is no evidence to suggest that this criterion is met (see Section 4.5).</p>

6.1 Summary of Evaluation

In LHC’s professional opinion, the Property at 324 Spruce Street **meets** criterion 7 of *O. Reg. 9/06* for its contextual value. Because the Property meets one criterion, it is **not eligible** for individual designation under Section 29 Part IV of the *OHA*. As the Property exhibits cultural heritage value or interest, a proposed statement of cultural heritage value or interest has been prepared and an assessment of potential impacts of the proposed demolition has been undertaken.

6.2 Proposed Statement of Cultural Heritage Value or Interest

6.2.1 Description of the Property

The Property at 324 Spruce Street, LT 9 PL 121; OAKVILLE, is located on the southeast side of Spruce Street in the Town of Oakville, in the Regional Municipality of Halton. The Property is a parallelogram shaped lot with a two-and-a-half storey brick, cedar shake, and clapboard siding clad Craftsman Bungalow house.

6.2.2 Statement of Cultural Heritage Value or Interest

The Property has contextual value because it is important in maintaining the character of an area. The area is dominated by single-detached, one to two-and-a-half storey houses composed of a range of materials including brick, board and batten siding, stucco, and cedar shakes. Several buildings in the area are designed in, or influenced by, the Bungalow or Craftsman Bungalow architecture style. Buildings in the vicinity are generally moderately setback from the street and situated on narrow, parallelogram or rectangular lots. In particular, the Property helps maintain the character of Plan 121 (the ‘Brantwood Annex’ / ‘Tuxedo Manor’) because the building is slightly angled to the north, a characteristic exclusive to buildings in the Plan’s area. Properties in the area also typically have mature deciduous and/or coniferous trees in

¹⁰¹ Ministry of Citizenship and Multiculturalism. “Standards & Guidelines for Conservation of Provincial Heritage properties, Heritage Identification & Evaluation Process.” 17.

their front and rear yards as well as hedges, shrubs, juvenile coniferous and/or deciduous, and gardens with perennial flowers in their front yards. The physical configuration of the Property and the form, massing, and siting of the building on the Property are consistent with the surrounding area. Additionally, although contemporary development and alterations made to other early- to mid-20th century houses in the vicinity have largely been sympathetic, they have nonetheless altered its character. In contrast, the Property has undergone minimal change since its development, reinforcing its value in maintaining the character of the area.

6.2.3 Heritage Attributes

Heritage attributes that illustrate the cultural heritage value or interest of the Property at 324 Spruce Street include the building's:

- Moderate setback from Spruce Street (criterion 7 of *O. Reg. 9/06*);
- Primary (northwest) façade that is slightly angled to the north as opposed to being parallel with Spruce Street (criterion 7 of *O. Reg. 9/06*);
- Rectangular floor plan (criterion 7 of *O. Reg. 9/06*);
- One-and-a-half-storey appearance from Spruce Street (criterion 7 of *O. Reg. 9/06*);
- Stretcher bond brick first storey, cedar shake gable ends, and clapboard dormers (criterion 7 of *O. Reg. 9/06*);
- Broad side gable roof that extends over the verandah (criterion 7 of *O. Reg. 9/06*); and,
- Shed dormers forming the second storey (criterion 7 of *O. Reg. 9/06*).

7.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Owner is proposing to demolish the existing two-and-a-half storey house on the Property and replace it with a new rectangular, two-storey house that appears as a one-and-a-half storeys from the Spruce Street right-of-way. The proposed house has a four-bay façade that faces northwest and is slightly angled to the north. It has a full below grade basement with concrete foundation walls. The first and second storeys are typically clad in engineered wood clapboard with cedar shake siding also present in select locations on the northeast, southeast, and southwest elevations. Wall details include cornerboards, modillions near the apex of gable ends, and brackets supporting dormer roofs. The house has a moderately pitched, truncated side gable roof. A central shed dormer is located on the building's northwest elevation. A shed dormer offset towards southwest, and a front gable offset towards the northeast are located on the building's southeast elevation. All roofs are clad in cedar shake shingles.

Window openings on the first and second storey typically have a flatheaded opening, moulded engineered wood lintel, moulded engineered wood lug sill, and plain engineered wood side trim. Single unit, two mullied unit, three mullied unit, and three mullied unit with transom window configurations are present. In general, the glazing follows a 2/2 pattern/appearance. A casement opening mechanism is typical.

The main entrance is centrally located on the house's northwest elevation. It has a flatheaded opening, transom, and simple engineered wood trim. It has a two-leaf, shaped panel door with central glazing. A secondary entrance is offset towards the northeast of the northwest elevation. The secondary entrance has a flatheaded opening, transom, and simple engineered wood trim. It has a one-leaf, shaped panel door with central glazing. Both the main and secondary entrances are accessed from the house's verandah. The verandah is covered by the house's projecting main roof, which has a deep overhang over the northwest elevation of the building. The roof is supported by four sets of double square tapered posts that are evenly distributed across the northwest elevation. The verandah deck is accessed from a two-riser stairway. A tertiary entrance is offset towards the southwest of the southeast elevation. It has a flatheaded opening and simple engineered wood trim. It has a three-leaf glazed sliding door accessed from a three-riser stairway.

The new house will retain the same setback distance from Spruce Street, orientation, and foliage.

See Figure 13 through Figure 16 for images of the proposed new building in context. Elevations are provided in Appendix F.

Figure 13: Colour rendering of proposed new residence



EXTERIOR CONCEPT RENDERING



Figure 14: Façade of proposed new residence



Figure 15: Proposed new residence, looking east



*NOTE:
 ALL MAKES, MODELS, MATERIALS, COLOURS,
 AND EXTERIOR GRADING HAVE NOT BEEN
 FINALIZED AT TIME OF HERITAGE SUBMISSION,
 AND ARE SUBJECT TO CHANGE.

Figure 16: Streetscape with existing structure (top) and proposed (bottom)

8.0 IMPACT ASSESSMENT

The Property at 324 Spruce Street was evaluated against *O. Reg. 9/06* and was determined to meet criterion 7 for its contextual value. Although not eligible for individual designation under Section 29 Part IV of the *OHA*, a statement of cultural heritage value or interest and list of heritage attributes was prepared (see Section 6.2). The proposed demolition of the house will result in the complete loss of the Property's heritage attributes; however, this impact is mitigated through the thoughtful design of the proposed new residence within the streetscape.

In the context of this project, demolition of the existing building and construction of the proposed building is preferred. First, the proposed new house is in keeping with the general character of Spruce Street as described in Section 5.1. Moreover, albeit similar in form, scale, massing, and materiality to the existing house, it is a clear and distinct product of its time. The appropriateness of redevelopment is further supported by the condition of the existing house. As described in Section 5.4.3, there is overall little difference between the replacement of individual materials on the existing building and the replacement of the entire building with sympathetic new construction. Because of the breadth of adjustments that the existing building requires, its integrity is likely to be affected to the same degree as if it were to be replaced with a new building.

9.0 CONCLUSION AND RECOMMENDATIONS

LHC was retained on 16 October 2023 by Carrothers and Associates, on behalf of the Owner, to complete a HIA for the Property located at 324 Spruce Street in the Town of Oakville, Ontario. This HIA is being completed as part of a complete Notice of Intention to Demolish application.

The Owner is proposing to demolish the existing two-and-a-half storey house on the Property – built between 1912-1924—and replace it with a new two-storey residential building. The Property is listed on the Town of Oakville’s *Register of Properties of Cultural Heritage Value or Interest* under Section 27 Part IV of the *OHA*.

In LHC’s professional opinion, the Property at 324 Spruce Street **meets** criterion 7 of *O. Reg. 9/06* for its contextual value. Because the Property meets one criterion, the Property exhibits cultural heritage value or interest, but is **not eligible** for individual designation under Section 29 Part IV of the *OHA*.

The proposed demolition of the house will result in the complete destruction of the Property’s cultural heritage value or interest. It was determined that, in the context of this project, demolition of the existing building and construction of the proposed new house is preferred. This is because the proposed new house is in keeping with the general character of Spruce Street and is a clear product of its time. The appropriateness of this action is further supported by the condition of the existing house. An engineering report prepared by Carmazan Engineering Inc. identified that major structural adjustments and the repair and replacement of exterior cladding brick and siding is necessary for the existing house. In the context of this project, there is little difference between the replacement of individual materials on the existing building and the replacement of the entire building with sympathetic new construction. Because of the breadth of adjustments that the existing building requires, its integrity is likely to be affected to the same degree as if it were to be replaced with a new building.

SIGNATURES



Ben Daub, MA (Plan)
Heritage Planner



Christienne Uchiyama, MA, CAHP
Principal, Manager Heritage Consulting
Services

APPENDIX A: PROJECT PERSONNEL

Ben Daub, MA (Plan) – Heritage Planner

Ben Daub is a heritage planner with LHC. He holds a Bachelor of Applied Technology in Architecture – Project and Facility Management from Conestoga College and a Master of Arts in Planning from the University of Waterloo. During his academic career, Ben gained a detailed understanding of the built environment through exposure to architectural, engineering, and urban planning processes. Over the course of his time with LHC, Ben has worked on a wide range of technical cultural heritage projects including Heritage Impact Assessments, Cultural Heritage Evaluation Reports, Environmental Assessments, Heritage Conservation District Studies, and Official Plan Amendments. In addition to his work at LHC, Ben instructs the Urban and Community Planning course in Conestoga College's Architecture – Project and Facility Management degree program and has presented his master's thesis research to ICOMOS Canada. Ben is an intern member of the Canadian Association of Heritage Professionals and a candidate member with the Ontario Professional Planners Institute.

Christienne Uchiyama, MA CAHP - Principal

Christienne Uchiyama MA CAHP is Principal and Manager - Heritage Consulting Services with LHC. She is a Heritage Consultant and Professional Archaeologist (P376) with two decades of experience working on heritage aspects of planning and development projects. She is currently Past President of the Board of Directors of the Canadian Association of Heritage Professionals and received her MA in Heritage Conservation from Carleton University School of Canadian Studies. Her thesis examined the identification and assessment of impacts on cultural heritage resources in the context of Environmental Assessment.

Chris has provided archaeological and heritage conservation advice, support and expertise as a member of numerous multi-disciplinary project teams for projects across Ontario, including such major projects as: all phases of archaeological assessment at the Canadian War Museum site at LeBreton Flats, Ottawa; renewable energy projects; natural gas pipeline routes; railway lines; hydro powerline corridors; and highway/road realignments. She has completed more than 300 cultural heritage technical reports for development proposals at all levels of government, including cultural heritage evaluation reports, heritage impact assessments, and archaeological licence reports and has a great deal of experience undertaking peer reviews. Her specialties include the development of Cultural Heritage Evaluation Reports, under both O. Reg. 9/06 and 10/06, and Heritage Impact Assessments.

Benjamin Holthof, M.Pl., M.M.A., MCIP, RPP, CAHP – Senior Heritage Planner

Ben Holthof is a heritage consultant, planner and marine archaeologist with experience working in heritage consulting, archaeology and not-for-profit museum sectors. He holds a Master of Urban and Regional Planning degree from Queens University; a Master of Maritime Archaeology degree from Flinders University of South Australia; a Bachelor of Arts degree in

Archaeology from Wilfrid Laurier University; and a certificate in Museum Management and Curatorship from Fleming College.

Ben has consulting experience in heritage planning, cultural heritage screening, evaluation, heritage impact assessment, cultural strategic planning, cultural heritage policy review, historic research and interpretive planning. He has been a project manager for heritage consulting projects including archaeological management plans and heritage conservation district studies. Ben has also provided heritage planning support to municipalities including work on heritage permit applications, work with municipal heritage committees, along with review and advice on municipal cultural heritage policy and process. His work has involved a wide range of cultural heritage resources including on cultural landscapes, institutional, industrial, commercial, and residential sites as well as infrastructure such as wharves, bridges and dams. Ben was previously a Cultural Heritage Specialist with Golder Associates Ltd. from 2014-2020.

Ben is experienced in museum and archive collections management, policy development, exhibit development and public interpretation. He has written museum policy, strategic plans, interpretive plans and disaster management plans. He has been curator at the Marine Museum of the Great Lakes at Kingston, the Billy Bishop Home and Museum, and the Owen Sound Marine and Rail Museum. These sites are in historic buildings and he is knowledgeable with extensive collections that include large artifacts including, ships, boats, railway cars, and large artifacts in unique conditions with specialized conservation concerns.

Ben is also a maritime archaeologist having worked on terrestrial and underwater sites in Ontario and Australia. He has an Applied Research archaeology license from the Government of Ontario (R1062). He is a professional member of the Canadian Association of Heritage Professionals (CAHP).

Colin Yu, MA, CAHP – Intermediate Cultural Heritage Specialist

Colin Yu is a Cultural Heritage Specialist and Archaeologist with LHC. He holds a BSc with a specialist in Anthropology from the University of Toronto and a M.A. in Heritage and Archaeology from the University of Leicester. He has a specialized interest in identifying socioeconomic factors of 19th century Euro-Canadian settlers through quantitative and qualitative ceramic analysis.

Colin has worked in the heritage industry for over eight years, starting out as an archaeological field technician in 2013. He currently holds an active research license (R1104) with the Province of Ontario. Colin is a professional member of the Canadian Association of Heritage Professionals (CAHP) and member of the Board of Directors for the Ontario Association of Heritage Professionals (OAHP).

At LHC, Colin has worked on numerous projects dealing with all aspects of Ontario's cultural heritage. He has completed over fifty cultural heritage technical reports for development proposals and include Cultural Heritage Evaluation Reports, Heritage Impact Statements, Environmental Assessments, and Archaeological Assessments. Colin has worked on a wide

range of cultural heritage resources including; cultural landscapes, institutions, commercial and residential sites as well as infrastructure such as bridges, dams, and highways.

Jordan Greene, B.A. (Hons) – Mapping Technician

Jordan Greene, B.A., joined LHC as a mapping technician following the completion of her undergraduate degree. In addition to completing her B.A. in Geography at Queen's University, Jordan also completed certificates in Geographic Information Science and Urban Planning Studies. During her work with LHC Jordan has been able to transition her academic training into professional experience and has deepened her understanding of the applications of GIS in the fields of heritage planning and archaeology. Jordan has contributed to over 100 technical studies and has completed mapping for projects including, but not limited to, cultural heritage assessments and evaluations, archaeological assessments, environmental assessments, hearings, and conservation studies. In addition to GIS work she has completed for studies Jordan has begun developing interactive maps and online tools that contribute to LHC's internal data management. In 2021 Jordan began acting as the health and safety representative for LHC.



743 Powerline Road East, Lynden, Ontario, RR2 L0R1T0, Tel 905 521 9555, Fax 905 521 1613, www.carmazanengineering.com

To: Carrothers and Associates
505 York Boulevard Unit 3, Hamilton, Ontario, L8R 3K4

Re. Structural and building engineering assessment at 324 Spruce Street, Oakville, Ontario

Date: March 5, 2024

Expert Report

All opinions and statements expressed are that of the duty of the Engineer retained in service.

Introduction :

Carmazan Engineering Inc. has conducted an independent engineering inspection and assessment of the basement, main floor, second floor and third (attic) floor structure located at the above noted address. The inspection was based solely on visual and no testing.

Background :

The subject structure was a 2 and a half storey single family home. We could not determine the age of the building, but we assume it is greater than 50 years old. (See plans attached)

Description of Structural Characteristics :

The structure was observed as a typical wood frame building, with roof built in a lumber cut version.

The basement walls were observed as poured concrete on main area (old, original house) marked with "O" on plans attached, with a height of 7'8" and 2 rear areas that were observed as crawl space. We could not access the crawl space due to lack of accessibility. We could visualize the subfloor of crawl space through holes made in the rim boards at mechanical registers.

We observed a line of demarcation at the rear showing that an addition to the original building was made at some point in time in two stages. We marked the attached plans showing the additions with 2 and 3. Demarcation lines can be observed at the basement walls (crawl space) level and on the exterior walls. Brick veneer and additions 2 and 3 as wood shingles.

The addition 2 was made as an extension to the old kitchen, and over the old original rear porch. The addition 3 was made to extend family room at the rear and has a cathedral ceiling with a skylight.

We could not determine the timeline in the construction of the addition 2 and 3 but we know that the sequence was 2 followed by 3.

Main floor was observed as wood joints, wood beams and wood posts.

Exterior walls cladding was brick veneer and wood shingles.

Engineering Inspection :

Basement and First floor

Basement walls in area marked as “O” (original, old) were observed in a relatively good condition with minor cracks. We could not determine the strength of concrete used, but excavation was done to expose areas at connection of old, original home with additions. The additions do not have the required frost protection (the depth of underside of wall was observed at 32”). The additions do not have footings or a step down at the vicinity with the original home. The original basement wall, at that location, acts as a retaining wall and is not adequately reinforced to carry the loading.

The depth of the original basement walls are less than the OBC requirements of 48”, and observed at 40”.

The floor joist over the basement J1 (main floor joists) are 2”x8” spaced at 16” on center, supported by wood beams B1 and wood post marked as P1.

Wood beam B1 was observed as a timber cut 3.5”x8” with one piece of 2”x8” beside it.

No connection, nailing or bolting between the two. We observed a gap of an approximate 0.25” between the timber cut beam (3.5”x8”) and the 2”x8” added.

Floor joists were observed bearing on bare concrete and not on a typical wood plate. The lack of a wood plate indicates the probability of no anchorage to the foundation walls and no connection joist to concrete walls.

The floor joists are undersized based on today’s building code requirements, considering a live load of 1.9 Kpa the joist fail: moment (147%), live load deflection (200%), and total deflection (126%).

Some joists were observed cut, to allow mechanical installation (plumbing or heating).

Main supporting wood beam (B1) is supporting main floor and second floor so it is the structural core of the building. The beam is undersized and we consider it a possible structural hazard. After loading the beam according to latest building code requirements, with 1.9 Kpa life load the beam failed in all areas.

Failed shear (197%), failed moment (500%), and failed live load deflection (360%). We understand that standards at the time of construction of the original home were different than today, but the excess of maximum allowable is to be considered serious and hazardous.

Due to the above structural deficiencies the floor is sagging. We marked areas of depression in the floor with F1 and F2 at main floor. Values as indicated for F1 0.5” over 4’ and F2 1” over 4’ are both unacceptable. The direction of the depression is indicated on attached plans towards the main supporting beam below.

Second floor

Second floor is also sagging. Values of depressions marked as F3 0.75" over 4' and F4 1.5" over 4' are both unacceptable. The direction of depression as marked on attached plans is towards the main supporting beam.

The largest depression in floor was observed in the stairs landing F5 2" over 4' which is also unacceptable and a hazard (structurally and as an eventual fire exit) due its steep angle.

Rear addition 2, 3

Rear addition 2 and 3 as built, were observed as concrete walls and crawl space.

We could not determine the construction of the floor because there is no access in the crawl space.

We could see the underfloor through few holes made in the rim boards for mechanical installations and we observed the lack of insulation.

The crawls space has no venting.

We could not determine the as built construction of the wall and roof above the crawl space due the finishing and limited or no access.

Exterior, Front porch

Original building exterior cladding is brick at main floor and wood siding at second and third floor (Attic level). The wood siding was observed to be in very bad shape with need of replacement. (see pictures attached)

Front porch deck was observed with significant settlement due the wood joist being damaged by water and possible rodents. The front porch deck will need a full replacement.

Conclusions :

The original part of the home needs major structural adjustments that will trigger design, building permits and extensive work. The home cannot be occupied while construction will take place.

Additions 1 and 2 will also need major structural adjustments. Lowering the foundation wall to a min 48" below grade and add footings. This task will also require engineering and permitting and will be a very extensive and time consuming task, considering the limited space to the property lines.

Overall exterior cladding brick and siding will need repairs and replacement.

Based on the findings above and their structural deficiencies we consider the structure of the original and additions structurally unstable. The structure is not in an immediate danger to collapse, and repairs should be made in a very timely manner before another cold season and loading on main and second floor shall be limited.

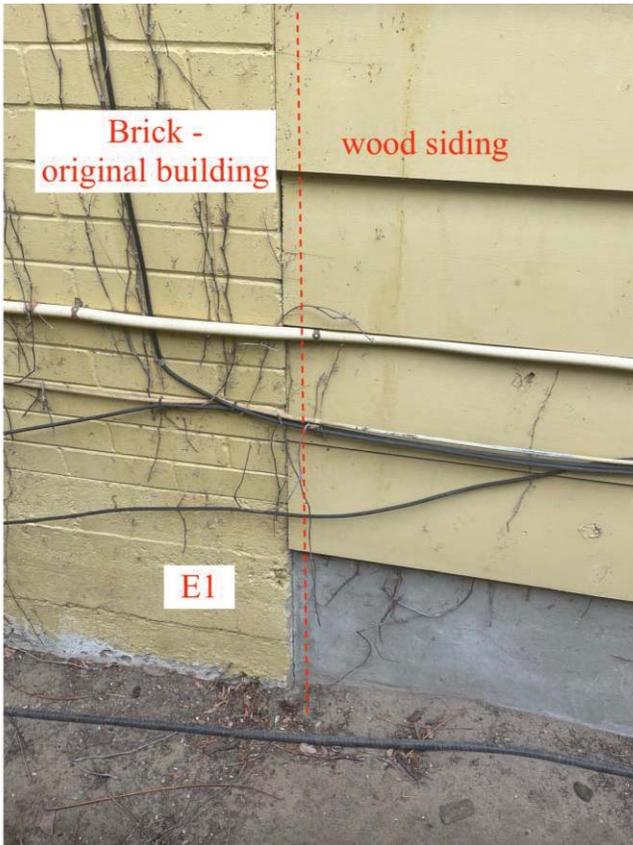
We cannot estimate the value of the repairs needed for structural issues without proper plans but based on our experience we expect the cost to be \$300,000 or more just for the structural components.

Sincerely



Carmazan Engineering Inc.
Calin Carmazan, M.Eng., P.Eng.
Hamilton , March 5, 2024

Demarcation lines - original additions

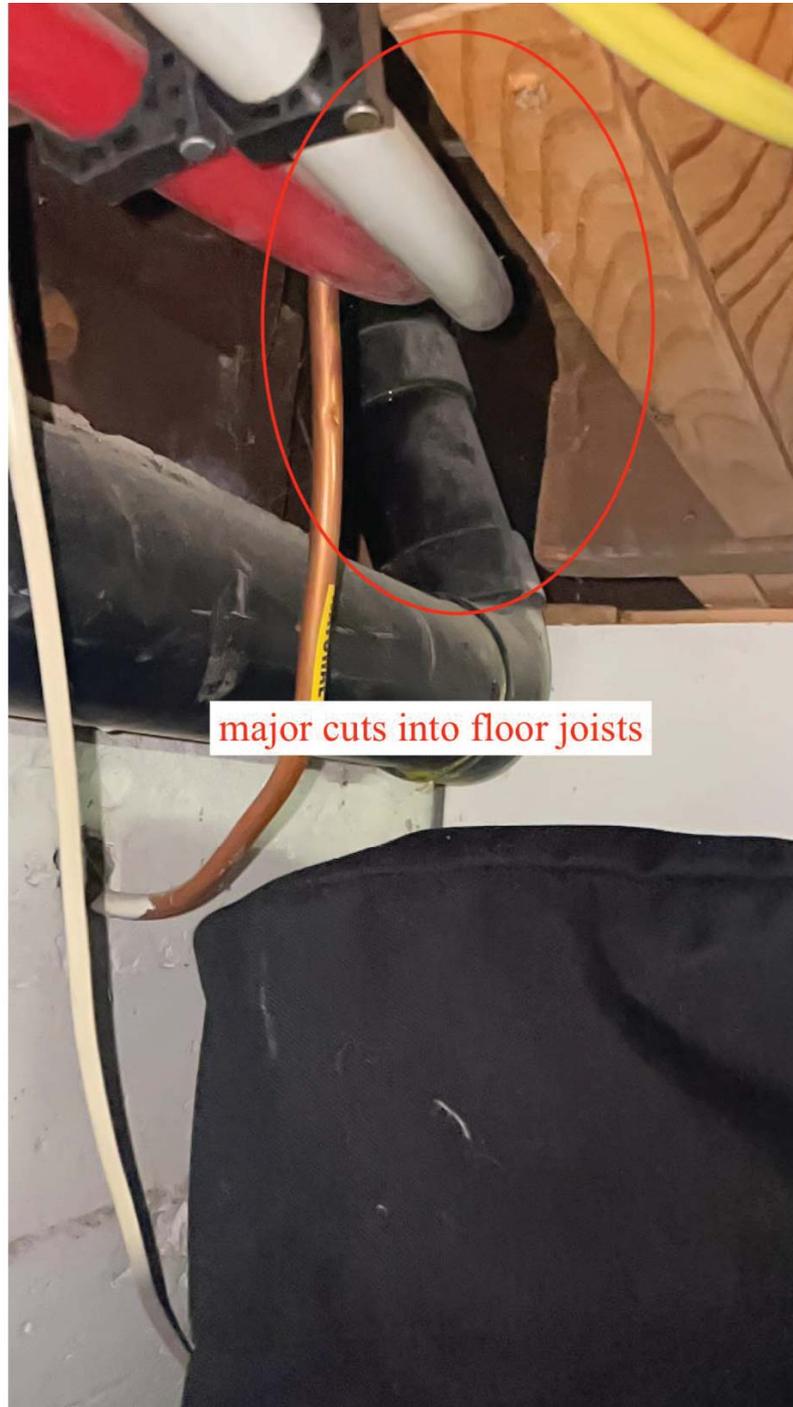




wood shingles /siding damage



exposed wall





No wood plate on top of foundation wall

major cuts in jost to accomodate plumbing

Crawl space beyond wall towards first addition

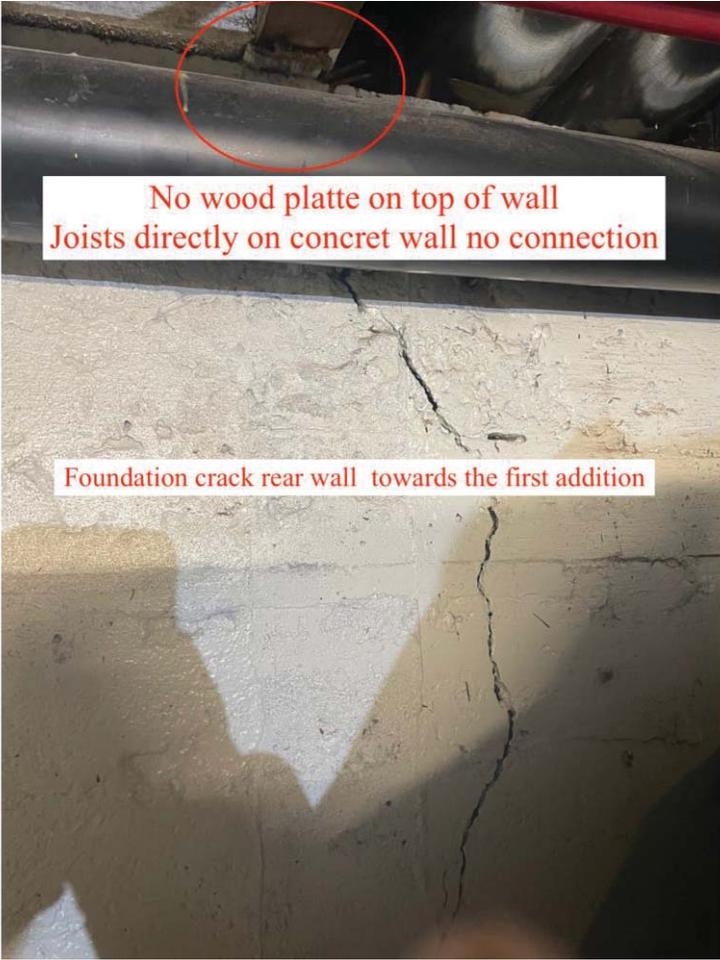


gap 1"

main supporting Beam B1







No wood platte on top of wall
Joists directly on concret wall no connection

Foundation crack rear wall towards the first addition



lack of steel lintel for brick above
arch with key to low support needed

craks in arch wood frame of window compressed



CONSTRUCTION NORTH

No.	Date	Issue/Revision	By
1	NOV 27/22	ISSUED FOR DC REVIEW	NK

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION AND FABRICATION OF COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED IMMEDIATELY. THE DESIGNER MUST BE NOTIFIED IMMEDIATELY.

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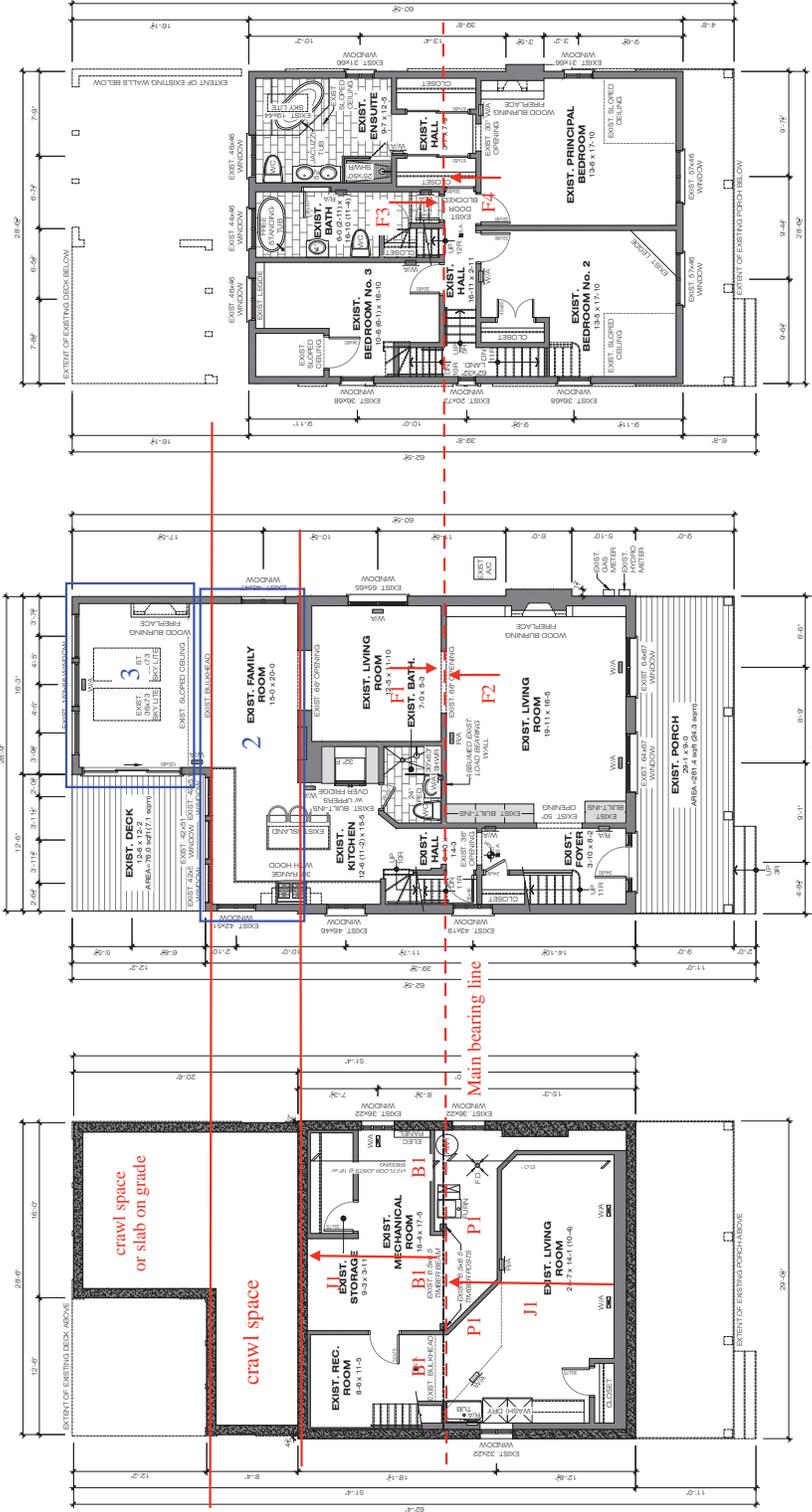
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ARCHITECTURAL DESIGN + INTERIORS
505 YORK BOULEVARD - UNIT 3
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TEL: 905-574-1504
WWW.carrothersandassociates.com

Project Name:
HAMMOND RESIDENCE
ADDITION AND RENOVATION
324 SPRUCE STREET
OAKVILLE, ON. L6J 2H1

Sheet Title:
EXIST. FLOOR PLANS (FOR REF. ONLY)

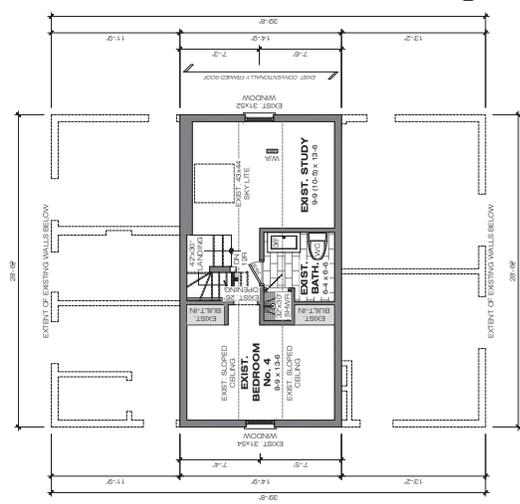
Drawn By:	NK	Checked By:	DC
Scale:	1/8" = 1'-0"	Date:	NOV 2022
Project No.:	2022-84		



EXISTING BASEMENT/FOUNDATION PLAN
AREA = 885.5 sqft (81.2 sqm)
CEILING HEIGHT = 6'-7"

EXISTING MAIN FLOOR PLAN
AREA = 1340.1 sqft (124.5 sqm)
CEILING HEIGHT = 8'-10"

EXISTING SECOND FLOOR PLAN
AREA = 1132.2 sqft (105.2 sqm)
CEILING HEIGHT = 7'-10"



EXISTING ATTIC FLOOR PLAN
AREA = 421 sqft (39.1 sqm)
CEILING HEIGHT = 6'-11"



CONSTRUCTION NORTH

6	MAR 04/23	ISSUED FOR STRUCT. REPORT	NK
5	FEB 14/23	ISSUED FOR STRUCT. REPORT	NK
4	NOV 28/23	ISSUED FOR COORDINATION	CD
3	NOV 14/23	ISSUED FOR DC REVIEW	CD
2	SEP 19/23	ISSUED FOR HERITAGE REVIEW	CD
1	SEP 15/23	ISSUED FOR DC REVIEW	CD
No.	Date:	Issue/Revision	By:

ALL DIMENSIONS AND INFORMATION SHOWN ON THESE DRAWINGS MUST BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION AND FABRICATION OF ITS COMPONENTS. SHOULD EXISTING CONDITIONS OR SERVICES BE FOUND TO VARY FROM THAT INDICATED IMMEDIATELY, THE DESIGNER MUST BE NOTIFIED.

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Ministry of Municipal Affairs and Housing
QUALIFICATION INFORMATION
THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE BUILDING CODE TO BE A DESIGNER, DIVISION 'C' SECTION 3.2 OF THE O.B.C.

DAVID CARROTHERS
CARROTHERS AND ASSOCIATES INC.
B2IN
25330
3RD AVE



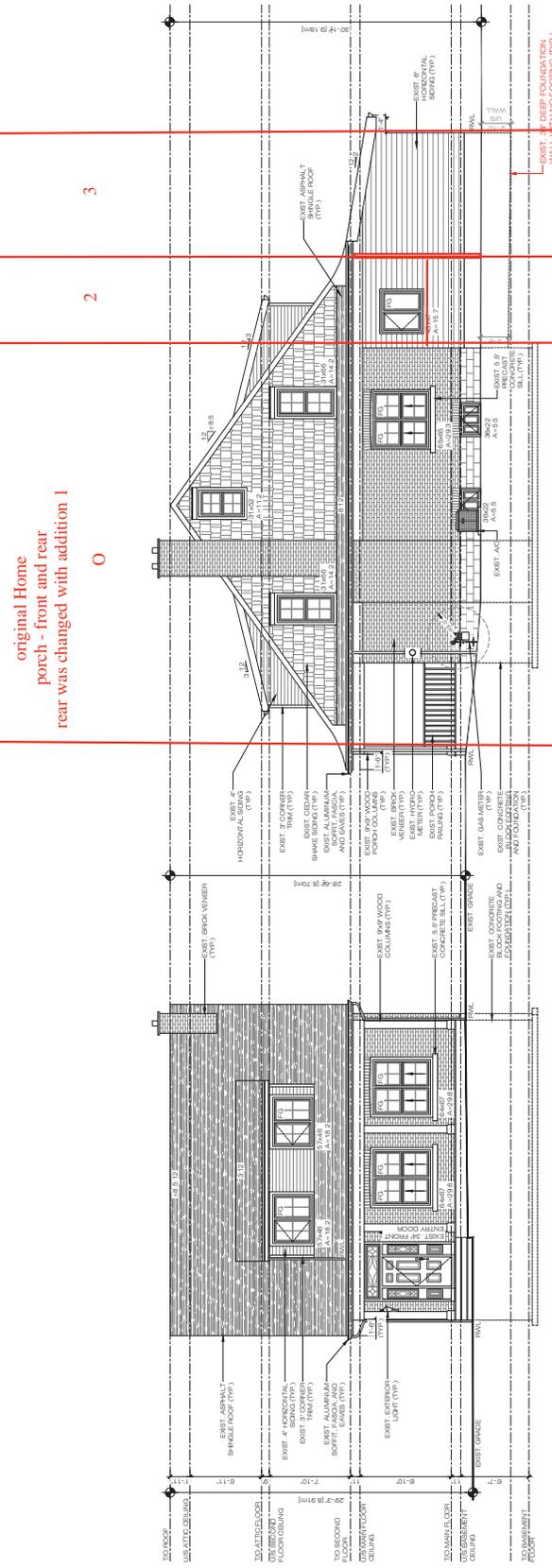
CARROTHERS ASSOCIATES
ARCHITECTURAL DESIGN + INTERIORS
505 YORK BOULEVARD - UNIT 3
HAMILTON ONTARIO L8R 3K4
TEL: 905-574-1504
WWW.carrothersandassociates.com

Project Name:
PRIVATE RESIDENCE
NEW CUSTOM SINGLE FAMILY DWELLING
324 SPRUCE STREET,
OAKVILLE, ONTARIO L6J 2H1

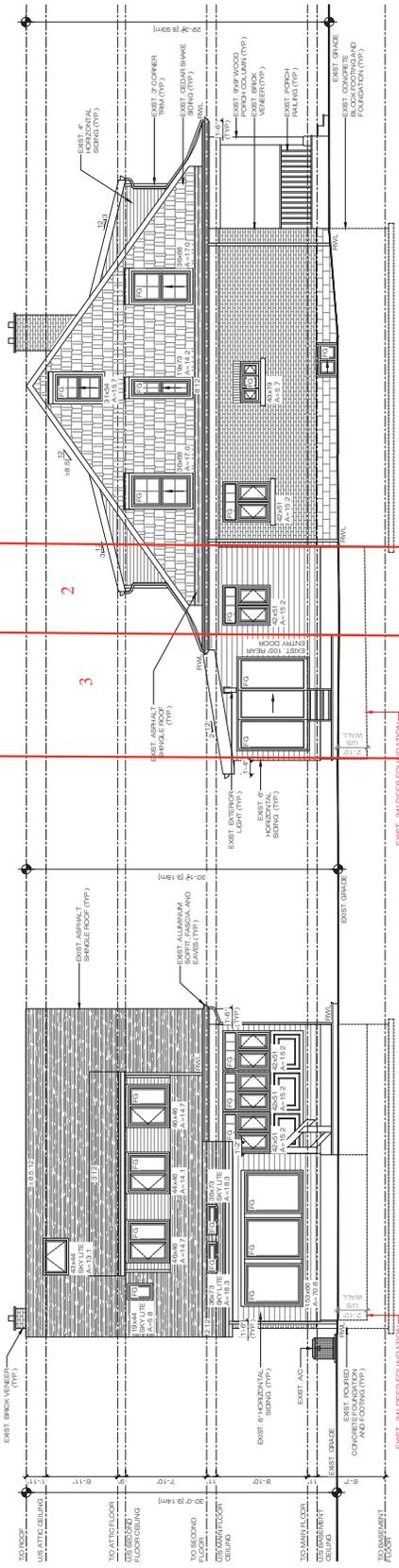
Sheet Title:
EXISTING ELEVATIONS (FOR REF. ONLY)

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Scale:	1/8"=1'-0"		
Date:	MAR 2024		
Project No.:	2023-18		

A1



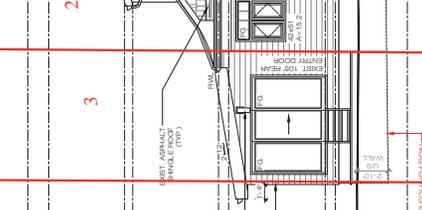
EXISTING FRONT ELEVATION
line of demarcation addition 1
addition 2



EXISTING REAR ELEVATION
line of demarcation

original Home porch - front and rear rear was changed with addition 1

EXISTING RIGHT SIDE ELEVATION
line of demarcation addition 1
addition 2



EXISTING LEFT SIDE ELEVATION
line of demarcation



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: July 8, 2024

FROM: Planning Services Department

DATE: June 25, 2024

SUBJECT: Recommendation Report, Draft Plan of Condominium, 2170 Postmaster Drive, Branthaven West Oak Inc., 24CDM_24004.1424

LOCATION: 2170 Postmaster Drive

WARD: Ward 3

Page 1

RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-24004/1424) submitted by Branthaven West Oak Inc., and prepared by R-PE Surveying Ltd. dated January 26, 2024, subject to the conditions contained in Appendix A of the Planning Service Report dated June 25, 2024.

KEY FACTS:

The following are key points for consideration with respect to this report:

- A draft plan of common element condominium application has been submitted by Branthaven West Oak Inc., for the lands located at 2170 Postmaster Drive.
- The subdivision of 54 townhouses, comprised of 26 street Townhouses and 28 rear lane Townhouses on a common element road, with 14 associated visitor's parking spaces are currently being constructed.
- The development received final site plan approval on May 19, 2023.
- Condominium tenure would allow for the shared use of internal private roadways, visitor parking areas, internal watermains and internal sanitary and storm sewers and any associated maintenance costs would be transferred to the condominium corporation.
- No concerns have been raised by internal departments or external agencies.
- Staff recommends approval of the draft plan of common element condominium, subject to the conditions outlined in Appendix A.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed draft plan of common element condominium application.

The draft plan of condominium application was submitted on May 3, 2024 by Branthaven West Oak Inc. The intent of the draft plan of condominium is to establish condominium tenure for the 54-unit Townhouse residential development which will allow for the management and maintenance of the shared common elements by the future condominium corporation.

The initial zoning by-law amendment application was appealed to the Ontario Land Tribunal and settled between the appellant and the Town, on March 22, 2022. Part of the Minutes of Settlement requires that an easement for public access (pedestrian and bicycle) be applied over the condominium roads and sidewalks. Additionally the Minutes of Settlement require that a 3m landscaping easement measured from the rear lot line of the two storey townhouses be applied in favour of the future condominium corporation to ensure the protection and maintenance of the medium to large stature trees located along the adjacent lands. Both of these required easements have been included in the conditions of registration, which is appended to this report. The 3m rear yard landscaping easement will protect the medium and large stature trees within the rear yards of adjacent residential properties, and are identified as Parts 56 to 81 in the Draft Plan of Condominium.

Proposal

The applicant is proposing a common elements condominium consisting of internal private roadways, visitor parking areas, watermains and sanitary and storm sewers located within the 54-unit townhouse development. Please see an excerpt of the Draft Plan of Condominium on Figure 1 below.

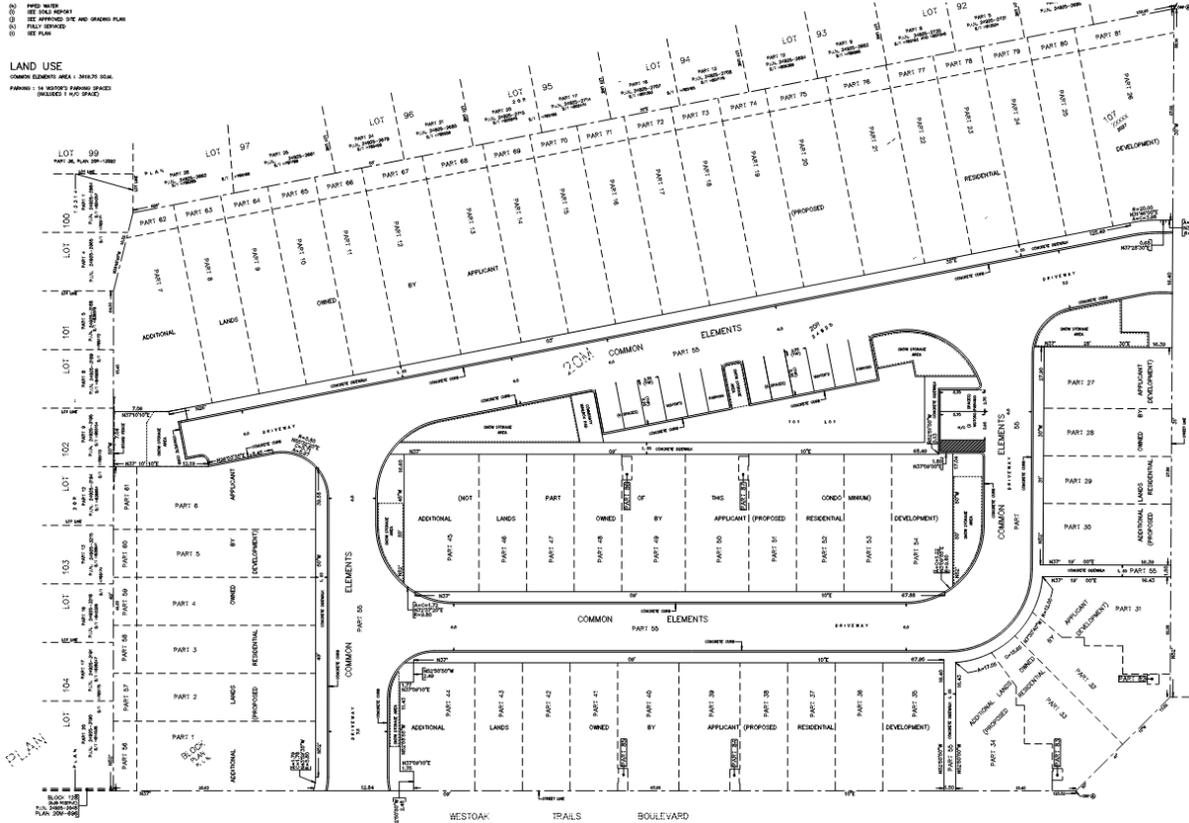


Figure 1 – Draft Plan of Condominium

Location & Site Description

The subject property is approximately 1.17 hectares in size and is located on the north side of West Oak Trails, between Postmaster Drive and Shorncliffe Boulevard. The land is legally recognized as Block 107, Plan 20M-696, Oakville and the townhouses are in the process of being constructed.

Surrounding Land Uses

The land uses surrounding the subject property are comprised of existing low rise residential dwellings, including single detached dwellings, semi-detached dwellings and townhouses. Located directly to the south east of the property is a neighbourhood commercial plaza that serves residents and visitors in the neighbourhood. Figure 2 below shows an aerial view of the subject lands (outlined in teal) and surrounding uses.



Figure 2 – Aerial view of 2170 Postmaster Drive

PLANNING POLICY & ANALYSIS:

Halton Region Official Plan

The Region's Official Plan provides goals, objectives, and policies to direct physical development and change in halton. The proposed development is located on lands that are designated as 'Urban Area' and is located within the built boundary of the Halton Region Official Plan (ROP). The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities that afford maximum choices for residence, work, and leisure. The Urban Area policies state that the range of permitted uses and the creation of new lots in the Urban Area will be per Local Official Plans and Zoning By-laws.

Regional staff offers no objection to the proposed Draft Plan of Condominium approval from a Regional perspective.

Livable Oakville Plan

The subject lands are designated as 'Medium Density Residential'. As part of the site plan application conformity with Livable Oakville was confirmed. The intent of the subject draft plan of condominium is to establish condominium tenure for the 54-unit townhouse development.

On this basis, the proposal conforms to Livable Oakville.

Zoning By-law

The subject property, highlighted in grey is zoned RM1 sp.415 – Residential Medium with site specific provisions (By-law 2014-014) as shown in Figure 3 below.

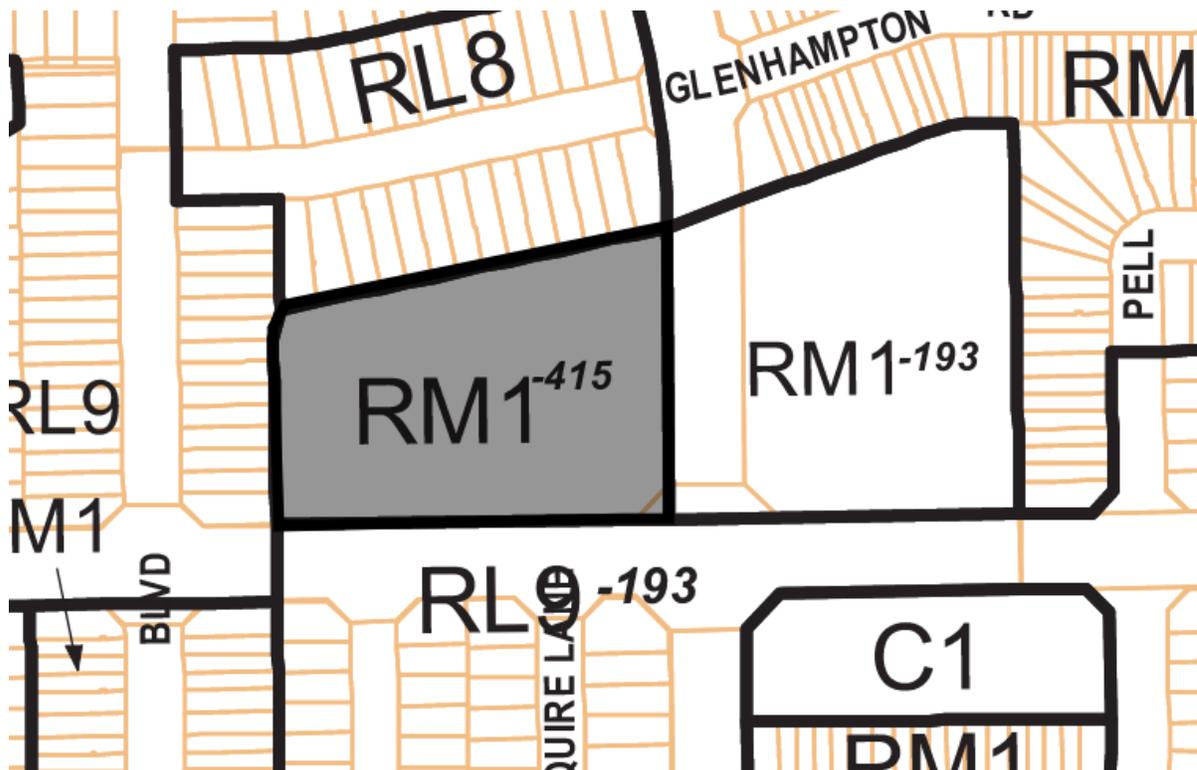


Figure 3 – Oakville Zoning By-law 2014-014 Map Excerpt

Compliance with the Zoning By-law was reviewed as part of the site plan application. As a condition of approval in Appendix A, the applicant will be required to confirm that the “as built” development complies with the Zoning By-law, prior to registration.

Site Plan Application

The subject property was subject to site plan control and received final site plan approval on May 19, 2023. Through the site plan control process, among others, the following matters were addressed:

- Site layout;
- Site servicing;
- Site circulation;
- Stormwater management; and,
- Environmental investigations.

TECHNICAL & PUBLIC COMMENTS:

The draft plan of condominium application was circulated to internal departments and external agencies for comments, and was subject to detailed technical analysis.

Subject to the conditions in Appendix A, no further requirements have been identified. There are no outstanding financial, legal or planning issues to be resolved.

Accordingly, the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and conforms to the Livable Oakville Plan.

CONSIDERATIONS:

(A) PUBLIC

As this is a standard condominium application and related to tenure, notice is not required with respect to this application.

(B) FINANCIAL

A condition has been included in Appendix A which will ensure that the property taxes are paid and up-to-date.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None of the circulated departments/agencies raised any issues with respect to the proposal. Any relevant conditions have been included within the draft plan of condominium conditions listed in Appendix A.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the corporate strategic goal to:

- Be the most livable Town in Canada

(E) CLIMATE CHANGE/ACTION

The proposal complies with the sustainability objectives of the Climate Change Adaptation Initiative.

CONCLUSION:

The Planning & Development Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that this draft plan of condominium application conforms to the overall policy direction of the Livable Oakville Plan and other relevant policy documents, and recommends approval of the application, subject to the conditions in Appendix A, as the following requirements have been satisfied:

- The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act*;

- The proposed plan of condominium conforms with the Halton Region Official Plan, conforms to the Livable Oakville Plan, and complies with the Zoning By-law regulations applicable to the subject property; and,
- A full circulation has been undertaken and there are no outstanding financial or planning issues that cannot otherwise be resolved, through the conditions found within Appendix 'A'.

APPENDICES:

Appendix A – Draft Plan of Condominium Conditions

Prepared by:
Colin Westerhof, MA
Planner, Current Planning

Recommended by:
Paul Barrette, MCIP, RPP
Manager, Current Planning – West District

Submitted by:
Gabe Charles, MCIP, RPP
Director, Planning Services

Appendix A – Conditions

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF STANDARD CONDOMINIUM BY BRANTHAVEN WEST OAK INC.

File 24CDM-24004/1424

This approval applies to the Draft Plan of Condominium (File 24CDM-24004/1424) submitted by Branthaven West Oak Inc., prepared by R-PE Surveying Ltd. dated January 26, 2024. The final plans are to be reviewed and cleared to the satisfaction of the Town of Oakville.

The Town of Oakville conditions applying to the approval of the final plan for registration of Branthaven West Oak Inc., Draft Plan of Condominium (File 24CDM-24004/1424) are as follows:

CONDITIONS	CLEARANCE AGENCY
GENERAL	
1. That the owner provides confirmation to the satisfaction of the Town's Finance Department that any outstanding development charges and property taxes have been paid prior to plan registration.	OAK(F)
2. .That the owner provides any necessary easements to the satisfaction of the Town (if necessary).	OAK (L)
3. That the owner provides an easement for public access (pedestrian and bicycle) over condominium roads and sidewalks.	OAK(L)
4. That the owner provides a 3m landscaping easement measured from the rear lot line in favour of the future condominium corporation.	OAK (L)
5. The owner provide a certificate signed by the surveyor and the owner that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted/approved by the Town.	OAK (A)
6. The Owner shall provide a certificate from the Owner's engineer stating that all servicing, grading, drainage, overland flow route, and stormwater management requirements, and base asphalt paving have been completed in accordance with the plans and conditions in the original site plan agreement, or that arrangements to the satisfaction of the Director of Development Engineering have been made for their completion. Additionally, the certificate should acknowledge that hydro, gas, lighting and communication services have been installed and are active.	OAK (DE)
7. The Owner shall provide an as-built grading plan in conformance with the approved plans, to the satisfaction of Development Engineering, in addition to the engineers certification letter.	OAK (DE)
8. That the owner/applicant confirms as-built compliance with the Zoning By-law and that any deficiencies be brought into compliance with the Zoning By-law through the Committee of Adjustment and/or a Zoning By-law amendment prior to plan registration.	OAK(Z)

LEGAL

7. The Owner shall file with the Director of Planning, a complete copy of the final version of the Declaration and Description to be registered, which includes the following schedules:
- a. Schedule "A" containing statement from the declarant's solicitor that in his or her opinion, based on the parcel register or abstract index and the plans and drawings recorded in them, the legal description is correct and any easements mentioned in the schedule will exist in law upon the registration of the Declaration and Description; and,
 - b. Schedule "G" being the certification of the project engineer and/or architect that all buildings have been constructed in accordance with the regulations under the Condominium Act.

OAK (L)

When the Owner files a copy of the Declaration with the Director of Planning, it shall be accompanied with a letter of undertaking, stating that, "This is our undertaking to register the Declaration in the same form and content as was provided to you, subject to any changes the Land Registrar may require. This is also our undertaking to provide you with a registered copy of the Declaration once it is registered. If the Land Registrar requires any amendments to the Declaration we will advise you."

Visitors parking spaces will be clearly delineated on the condominium plan to be registered and the Declaration shall contain wording to provide and maintain the visitor parking spaces for the exclusive use of visitors and specifying that visitor parking shall form part of the common elements and neither to be used or sold to unit owners or be considered part of the exclusive use portions of the common elements.

BELL CANADA

8. That the owner provides written confirmation that all Bell Canada matters have been satisfactorily addressed. **BC**

CANADA POST

9. That the owner provides written confirmation that all Canada Post matters have been satisfactorily addressed. **CP**

ENBRIDGE GAS INC. (UNION GAS)

10. That the owner provides written confirmation that all Enbridge Gas inc. matters have been satisfactorily addressed. **UG**

OAKVILLE HYDRO

11. That the owner provides written confirmation that all Oakville Hydro matters have been satisfactorily addressed. **OH**

CLOSING CONDITIONS

12. Prior to signing the final plan the Director of Planning Services shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided. **OAK (A)**
13. Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Region that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A), RMH (PPW)**
14. Prior to signing the final plan, the Director of Planning Services shall be advised by Oakville Hydro that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A) OH**
15. Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A) BC**
16. Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A) CP**
17. Prior to signing the final plan, the Director of Planning Services shall be advised by Enbridge Gas Inc. that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (A) UG**

All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being **Month Day, Year**. (Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received). **OAK (A)**

NOTES – The owner is hereby advised:

1. If the condominium is not registered within 3 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the Town of Oakville for approval.
2. Fees are required by Halton Region for each extension to draft approval for major revisions to the draft plan or conditions and for registration of the plan.
3. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the condominium:
 - Final draft condominium plans signed and dated by the Owner, Surveyor and initialed by the Town’s Planner;
 - Regional Registration fee;
 - Registry Office review form (Appendix D Form (Formerly Schedule J Form)); and,
 - Letter from Applicant/Owner indicating how the Region’s conditions of draft approval have been addressed
4. Additional Zoning Comments may be forthcoming pending review of any new information in the next circulation.
5. Any interior alterations such as demising walls will require a separate permit, these are not required for condominium registration.
6. Owners/tenants of each unit will require a Zoning Certificate of Occupancy and Building Permit to occupy their spaces. These are not required for Condominium registration.

LEGEND – CLEARANCE AGENCIES

BC	Bell Canada
CP	Canada Post
OAK (A)	Town of Oakville – Planning Administration
OAK (F)	Town of Oakville - Finance
OAK (L)	Town of Oakville – Legal
OAK (DE)	Town of Oakville – Development Services Department
OAK (Z)	Town of Oakville – Building Services Department, Zoning Section
OH	Oakville Hydro
UG	Enbridge Gas inc./Union Gas



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: July 8, 2024

FROM: Planning Services Department

DATE: June 25, 2024

SUBJECT: **Public Meeting Report – Official Plan Amendment, Creditmills Development Group, File Number OPA.1515.23**

LOCATION: 1295 Sixth Line

WARD: Ward 5 [Click here to add multiple wards.](#) Page 1

RECOMMENDATION:

1. That the comments from the public with respect to the proposed Official Plan Amendment application submitted by Creditmills Development Group, File No.: OPA.1515.23, be received.
2. That staff consider such comments as may be provided by Council.

KEY FACTS:

The following are key points for consideration with respect to this report:

- **Nature of Application:** The applicant has applied for an Official Plan Amendment to redesignate the property from *Low Density Residential* to *High Density Residential*.
- **Proposal:** The effect of this application would allow for a range of uses including multiple attached dwellings units, apartments, retirement homes and long-term care homes. The applicant intends to develop the site for a six-storey, 70-unit residential apartment building.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting (“PIM”) was held on May 11, 2023, which was attended by 14 members of the public, as well as the Ward Councillors and Town staff.

BACKGROUND:

Applicant/Owner: Creditmills Development Group

Purpose of Application: The purpose of the application is to redesignate the property from *Low Density Residential* to *High Density Residential* to permit the development of a six-storey residential apartment building consisting of 70 residential units, as described below. The applicant proposes 80 parking spaces consisting of 6 parking spaces at grade and 74 spaces below grade.

Unit Types	Number
One bedroom	42
Two bedroom	24
Three bedroom	4

It is noted that a corresponding Zoning By-law Amendment application will also be required to implement the proposal. Staff anticipates the submission of the corresponding Zoning By-law Amendment application prior to a final recommendation on the Official Plan Amendment.

An aerial photograph, Livable Oakville land use schedule, and Zoning By-law 2014-014 excerpt are included in **Appendix ‘A’**.

Effect of Application: The effect of the Official Plan Amendment application will allow for high density residential uses to be permitted on the lands.

A copy of the applicant’s conceptual plan and rendering are included as **Appendix ‘B’**.

A copy of the applicant’s draft Official Plan Amendment is included as **Appendix ‘C’**.

Submitted Plans / Reports: The proponent has provided technical supporting studies which are currently under review by various public agencies and internal town departments. The supporting documentation is accessible on the Town’s website at [Creditmills Development Group - 1295 Sixth Line - OPA 1515.23 \(oakville.ca\)](http://Creditmills Development Group - 1295 Sixth Line - OPA 1515.23 (oakville.ca))

Property Location: The subject property is located on the east side of Sixth Line, south of McCraney Street West, and is municipally known as 1295 Sixth Line. A detached dwelling currently exists on the site, which is approximately 0.38 hectares with 27.76 metres of frontage along Sixth Line.

Surrounding Land Uses: The surrounding land uses are as follows:

- North – Walkway leading to playing fields and White Oaks Secondary School (1330 Montclair Drive), local commercial (variety) store (1311 Sixth Line), detached dwelling units
- East – Playing fields associated with White Oaks Secondary School (1330 Montclair Drive)
- South – Seven-storey residential apartment building (1265 Sixth Line), semi-detached and townhouse dwellings units
- West – Detached dwellings units

Key Milestones:

The Official Plan Amendment application is not a Bill 109 application.

Pre-Consultation Meetings	March 8, 2023 November 8, 2023
Public Information Meeting	May 11, 2023
Application Submitted	May 1, 2024
Application Deemed Complete	May 6, 2024
P & D Council – Public Meeting	July 8, 2024
Date Eligible for Appeal for Non-decision	September 3, 2024

Upon the receipt of an implementing Zoning By-law Amendment application, Planning staff will determine a date for a future Planning and Development Council Meeting for a Recommendation Report/Public Meeting to consider both applications.

PLANNING POLICY & ANALYSIS:

The subject property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020)
- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

A full analysis of the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020), Halton Regional Official Plan, and Livable Oakville will be included within the future recommendation report.

Official Plan and Zoning By-law extracts are attached as **Appendix ‘D’**.

MATTERS UNDER REVIEW:

The complete application was received in March 2024, and is under review by Town departments and public agencies. The following are the general issues that will be addressed in a future recommendation report, in addition to any comments from the public, Council, and commenting agencies:

- Consideration of applicable Provincial and Regional policy
- Proposed land use, height, and density
- Proportion of residential unit types (i.e. unit breakdown by size)
- Integration / impact on adjacent properties
- Public & Council Comments/Concerns
- Climate Change/Sustainability Goals

In addition to the above, and as part of the future Zoning By-law Amendment application, staff will consider the following additional issues:

- Transportation implications (including travel demand management strategies, and parking utilization)
- Pedestrian connections and walkability
- Stormwater Management
- Tree Preservation
- Functional Servicing
- Urban Design
- Shadow/sun impacts

CONCLUSION:

Planning staff will continue to review and analyze the subject Official Plan Amendment application and address all technical matters, along with submitted public comments. No further notice is required for the Official Plan Amendment application; however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

The notice for the future Zoning By-law Amendment will be given in accordance with the *Planning Act* and the Town's current notice requirements.

CONSIDERATIONS

(A) PUBLIC

The applicant held a virtual Public Information Meeting (“PIM”) on May 11, 2023, to present the proposal for the subject lands at 1295 Sixth Line, which was attended by 14 residents. Minutes of the meeting have been included as **Appendix ‘E’**.

All public comments received after the submission of the application and as of the date of the writing of this report are included as **Appendix ‘F’**.

Notice of complete application and public meeting were distributed to the property owners within 240m of the subject property in accordance with the Town’s current notice requirements and *Planning Act*.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the Council’s strategic priority/priorities to:

- To be a vibrant and liveable community for all

(E) CLIMATE CHANGE/ACTION

The proposed development will be reviewed to ensure compliance with the Town’s sustainability objectives of the Livable Oakville Plan.

APPENDICES:

Appendix “A”: Mapping

Appendix “B”: Conceptual Plan and Rendering

Appendix “C”: Applicant’s Draft Official Plan Amendment

Appendix “D”: Official Plan and Zoning By-law Extracts

Appendix “E”: Applicant Hosted Public Information Meeting Minutes

Appendix “F”: Public Comments

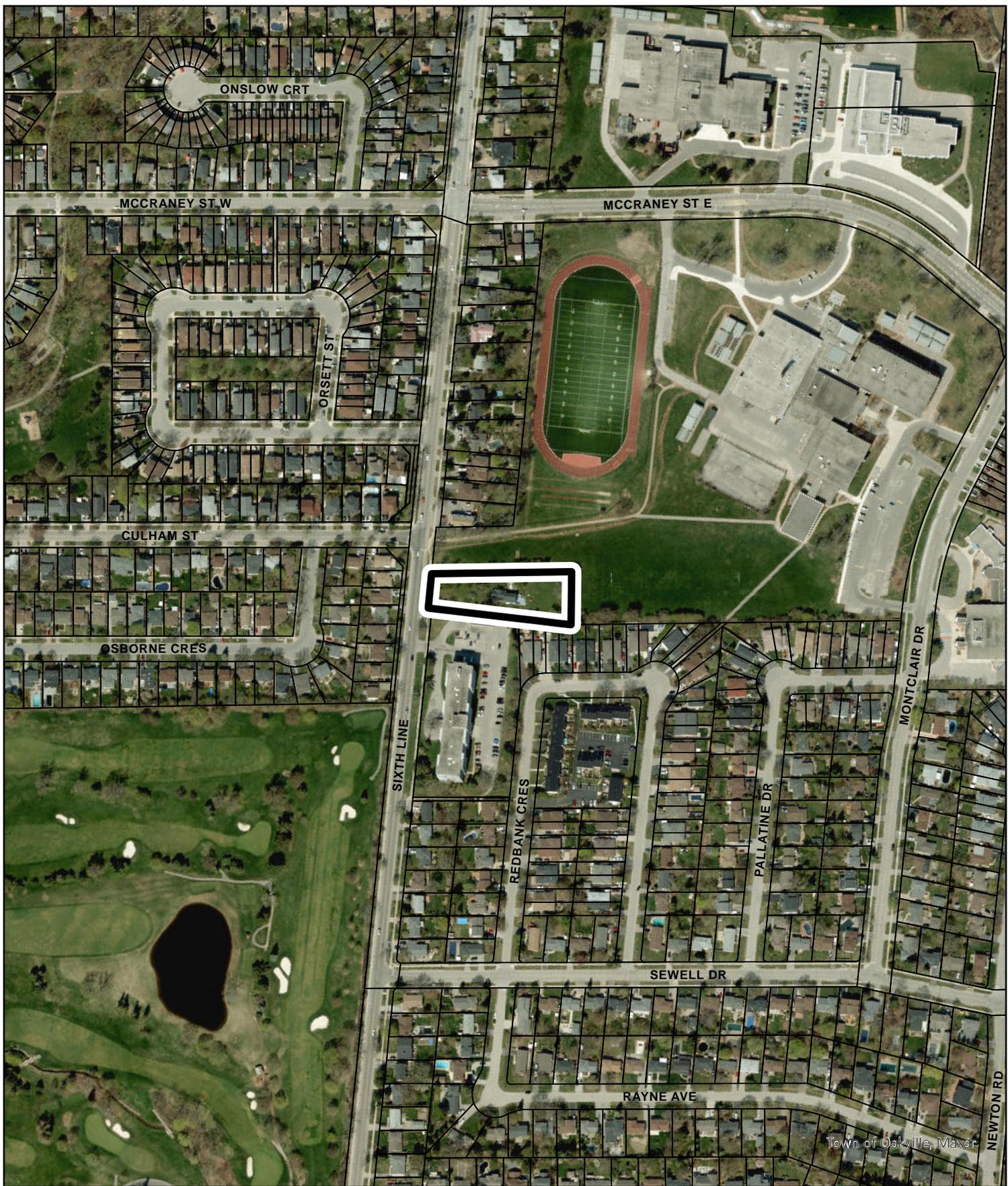
Prepared by:

Delia McPhail, MCIP, RPP

Planner, Current Planning East District

Recommended by:
Leigh Musson, MCIP, RPP
Manager, Current Planning East District

Submitted by:
Gabriel A.R. Charles, MCIP, RPP
Director, Planning Services



Town of Oakville, Maxar



0 30 60 120
Meters



SUBJECT LANDS

Creditmills Development Group

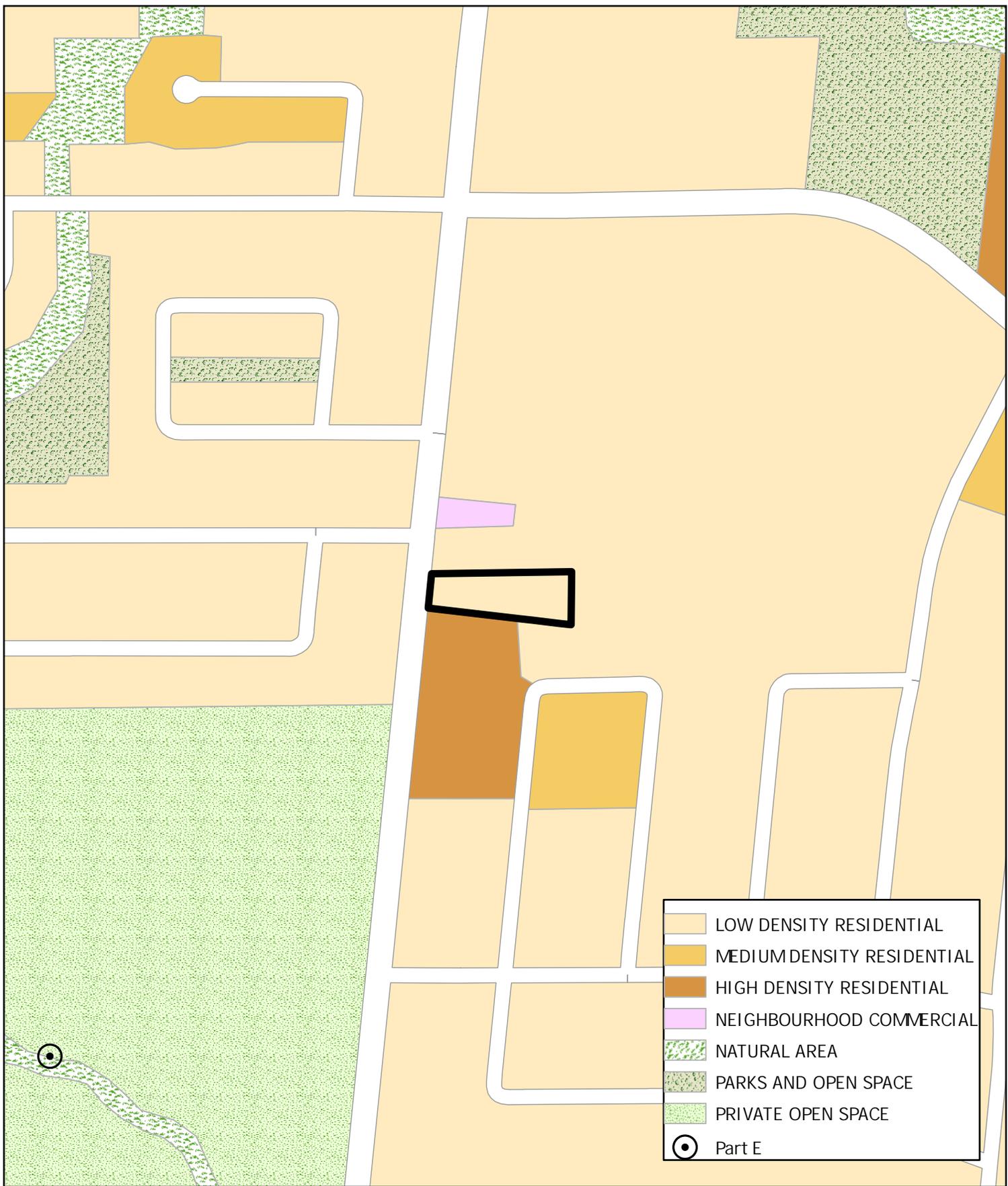
1295 Sixth Line
OPA 1515.23
Page 153 of 329

APPENDIX A

AIR PHOTO

Community Development Commission

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0 30 60 120
Meters



SUBJECT LANDS

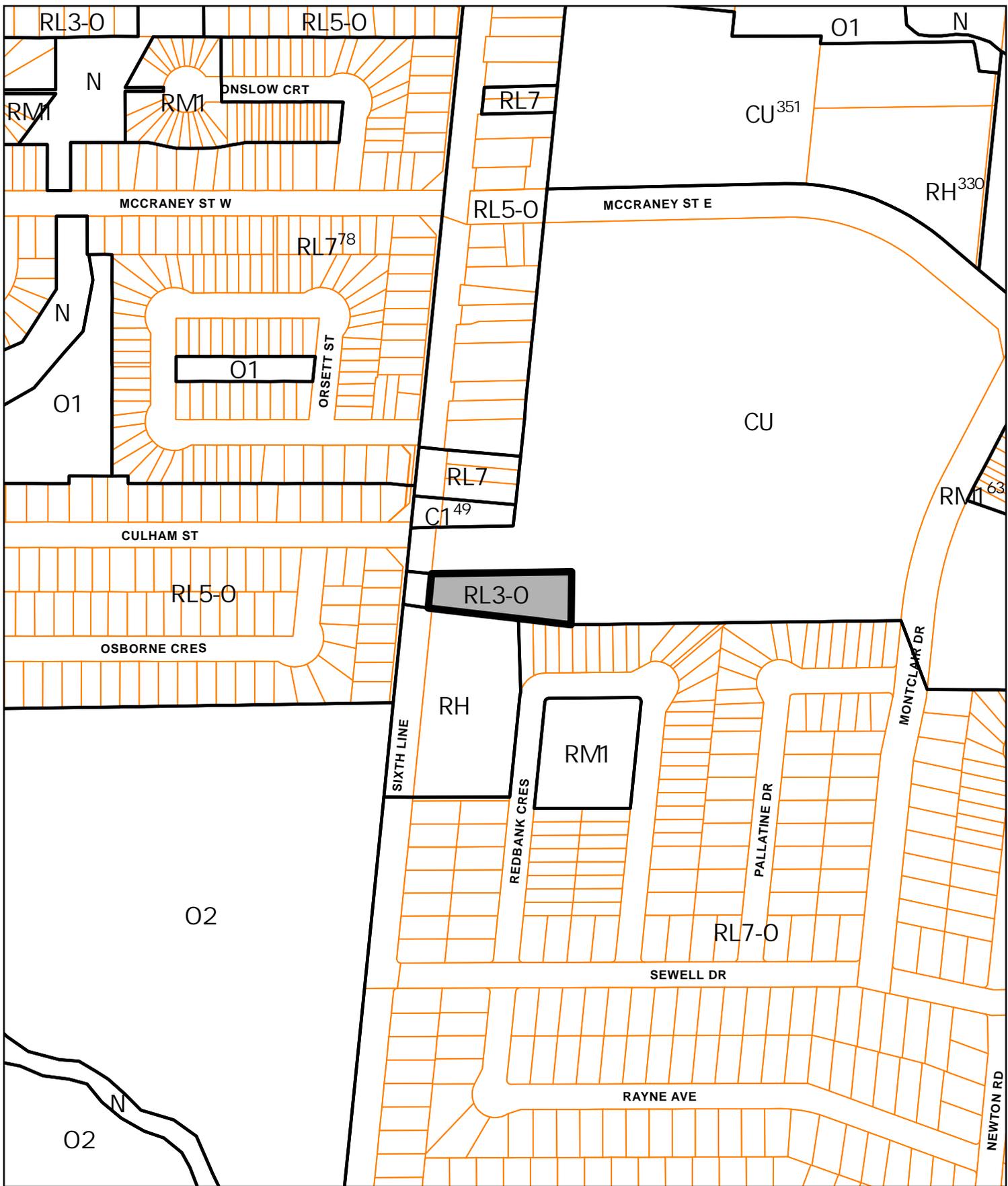
Creditmills Development Group

1295 Sixth Line
OPA 1515.23
Page 154 of 329

OFFICIAL PLAN

Community Development Commission

S:\DEPARTMENT\PLANNING\Planning Report Maps\OPA Report Maps\OPA 1515.23\



0 30 60 120
Meters



SUBJECT LANDS

**Creditmills
Development Group**

1295 Sixth Line
OPA 1515.23
Page 155 of 329

**ZONING BY-LAW
2014-014**

Community Development Commission

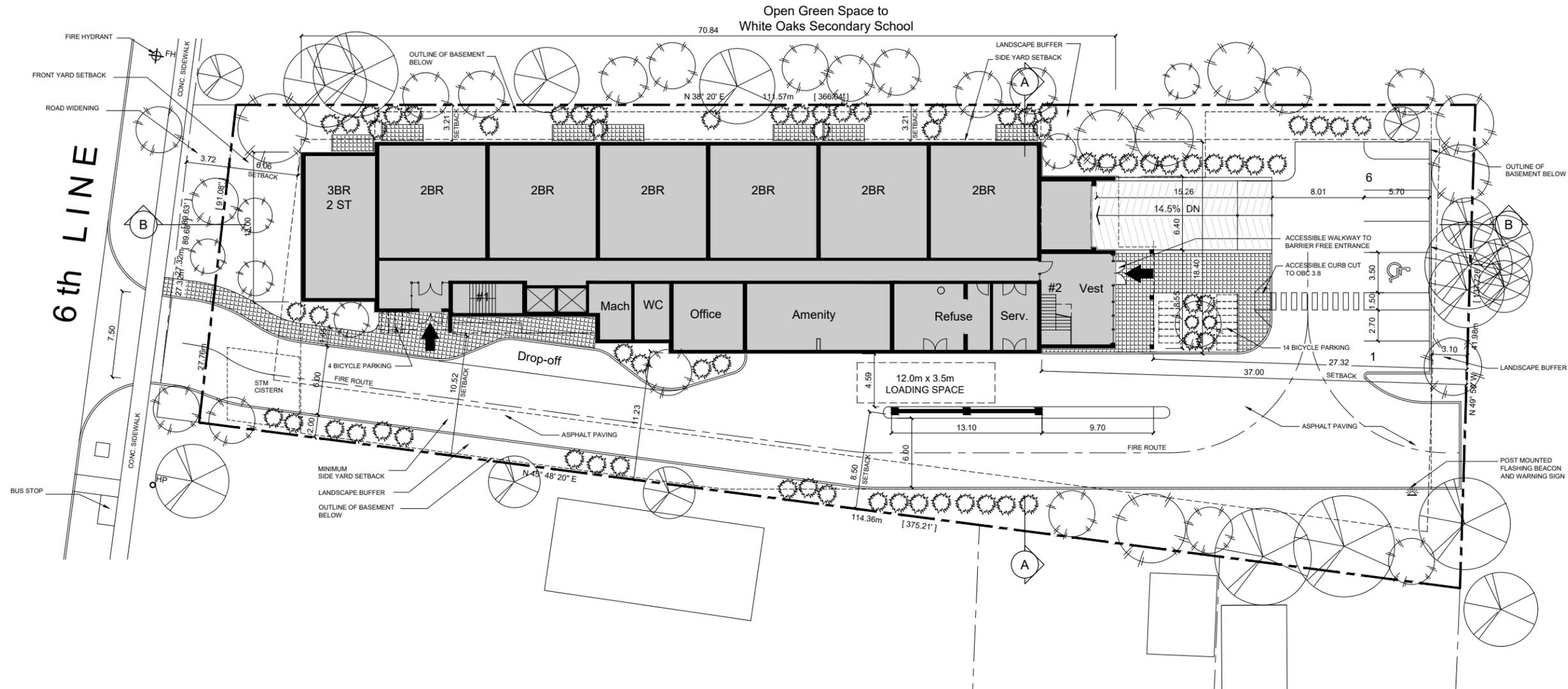
#	ISSUED FOR	DATE
1	ISSUED FOR PRELIMINARY REVIEW	07 /03/23
2	APARTMENT DESIGN REVIEW	14 /02 /23
3	REVISED DRIVEWAY ENTRANCE	17 /03 /23
4	ISSUED FOR PRELIMINARY REVIEW	11 /04/ 23
5	ISSUED FOR PRELIMINARY REVIEW	24 /11/23
6	ISSUED FOR O.P.A.	15 /12/23
7	ISSUED FOR O.P.A.	06 /02/24

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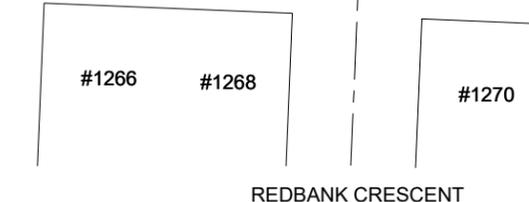
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 REPRODUCTION IN WHOLE OR IN PART IS FORBIDDEN WITHOUT THE PRIOR CONSENT OF THE DESIGNER. THESE DRAWINGS AND DOCUMENTS MAY NOT BE USED FOR ANY OTHER PURPOSES OTHER THAN FOR THE PROJECT FOR WHICH THEY WERE PREPARED.

GENERAL NOTES:

- DO NOT SCALE THIS DRAWING. CHECK ALL DIMENSIONS ON SITE AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING.
- THIS IS AN METRIC DRAWING.
- LAST APPROVED DRAWINGS ONLY TO BE USED FOR CONSTRUCTION.
- SUBMIT ALL SHOP DRAWINGS (SUCH AS TRUSS ETC.) TO THE DESIGNER FOR REVIEW.
- ALL CONSTRUCTION AND SERVICES MUST COMPLY WITH OBC (ONTARIO BUILDING CODE)



SITE PLAN



UNIT MIX							
FLOOR	GFA	1 BR	2 BR	3 BR	TOTAL	NRA	PKG
GROUND	1128.6 m ²	0	6	-	6	650.8 m ²	9
SECOND	1113.9 m ²	0	10	1	11	865.3 m ²	15.5
THIRD	1025.0 m ²	11	2	1	14	803.1 m ²	14.5
FOURTH	1025.0 m ²	11	2	1	14	803.1 m ²	14.5
FIFTH	1025.0 m ²	11	2	1	14	803.1 m ²	14.5
SIXTH	842.6 m ²	9	2	0	11	624.0 m ²	11.5
TOTAL	6160.1 m²	42	24	4	70	4549.4 m²	80

AREA CALCULATION

TOTAL Site Area	3,820.2 m ²	0.38 ha
Building foot-print	1,174.2 m ²	
Landscape Area	±28 %	
TOTAL Floor Area (GFA)	6,160.4 m ²	
No. of Units	70 units	
Building Height	6 storeys	
TOTAL Parking required	80 spaces	
TOTAL Parking provided	80 spaces	
Bicycle Parking required	70 spaces	
Bicycle Parking provided	52 + 18V = 70 spaces	
Units / hectare - proposed	184.2 units/ha	
Floor Space Index	1.61	
TOTAL Unit Area	4,605.7 m ²	

PRELIMINARY NOT FOR CONSTRUCTION

RICK BROWN & ASSOCIATES INC.
 1100 CENTRAL PARKWAY WEST
 SUITE 30, 2ND FLOOR
 MISSISSAUGA, ON, L5C 4E5
 T: 905 897-0388
 C: 905 510-2579
 rick@RBAdesign.ca

PROJECT NAME & ADDRESS:
PROPOSED RESIDENTIAL INFILL DEVELOPMENT
 1285 SIXTH LINE, OAKVILLE, ON

SCALE: 1:200	DATE: JUNE 27, 2022	DRAWN BY: RB / MS	JOB No.: 202212
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SITE PLAN
 DRAWING No.:
SP1



**Official Plan Amendment Number XX
To the Town of Oakville's Livable Oakville Plan**

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Official Plan Amendment Number XX to the Livable Oakville Plan.

Part 1 – The Preamble

1.0 Subject Land

The Subject Lands are located on the east side of Sixth Line. The land is legally described as Part of Lot 15, Concession 2 South of Dundas Street, and municipally known as 1295 Sixth Line. The Subject Lands have an approximate area of 3,798.1 square metres (0.38 ha), and an approximate frontage of 27.76 metres along Sixth Line.

2.0 Purpose and Effect:

The purpose of the Official Plan Amendment is to modify Schedule I – Central Land Use to re-designate the Subject Lands from *Low Density Residential* to *High Density Residential*.

3.0 Background and Basis:

- The Subject Lands are designated “Low Density Residential” in accordance with ‘Schedule I’.
- The re-designation of the Subject Lands will support the Town’s objectives for intensification within the Town’s built boundary and in areas that are well served by existing public transit.
- The proposal is consistent with the policies of the Provincial Policy Statement and conforms with the policies of the Growth Plan for the Greater Golden Horseshoe and Region of Halton Official Plan, and generally conforms with the policies of the Livable Oakville Official Plan.
- The proposal seeks to re-designate the Subject Lands from *Low Density Residential* to *High Density Residential*.
- The site is located on Sixth Line, a Minor Arterial.
- The site is well served by existing services, amenities, transportation and transit systems and infrastructure.

Part 2 – The Amendment

The Livable Oakville Plan is amended by adding a new Section 27.4.X to Section 27.4 Central Exceptions – Schedule I of the Livable Oakville Plan.

Item No.	Section	Description of Change
----------	---------	-----------------------

1.	27.4. EXCEPTIONS, Central Exceptions – Schedule I	To redesignate the lands located at the east side of Sixth Line from <i>Low Density Residential</i> to <i>High Density Residential</i> .
----	--	--

Livable Oakville

Part B: Mission Statement and Guiding Principles

Section 2.2.1 b) reinforce the Town’s Urban Structure:

“b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated.”

The subject lands are identified as Residential Area on *Schedule A1 – Urban Structure*, which includes low, medium and high density residential uses, as well as local commercial and local institutional uses that serve surrounding residents. Some growth and change may occur within Residential Areas, provided the neighbourhood character is preserved and the overall urban structure of the Town is upheld.



Part D: Land Use Designations and Policies

Section 11: Residential

The Residential Areas within the Town represent areas that provide for stable residential neighbourhood, including low, medium and high density residential designations, which are intended to provide a full range of housing types, forms and densities. Objectives of the Residential Area include, but are not limited to, the following:

- a) maintain, protect and enhance the character of existing Residential Areas;
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- c) promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives; and,
- d) promote innovative housing types and forms to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups.

11.1.9 *Development* within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) The built form of *development*, including scale, height, massing, architectural character and materials, is to be *compatible* with the surrounding neighbourhood.
- b) Development should be *compatible* with the setbacks, orientation and separation distances within the surrounding neighbourhood.
- c) Where a *development* represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent *development*.
- d) Where applicable, the proposed lotting pattern of *development* shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.
- e) Roads and/or municipal *infrastructure* shall be adequate to provide water and wastewater service, waste management services and fire protection.
- f) Surface parking shall be minimized on the site.
- g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.

- i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.
- j) *Development* should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.
- k) The transportation system should adequately accommodate anticipated traffic volumes.
- l) *Utilities* shall be adequate to provide an appropriate level of service for new and existing residents.

11.4 High Density Residential

11.4.1 Permitted Uses

The High Density Residential land use designation may permit a range of high density housing types including multiple-attached dwelling units, apartments, retirement homes and long-term care homes.

11.4.2 The density range is to be between 51 to 185 units per site hectare.

Residential Zones

Table 6.2.2: Permitted Uses in the Residential Medium and Residential High Zones (2017-025)					
	RM1	RM2	RM3	RM4	RH
<i>Accessory Dwelling Unit (2023-024)</i>	✓				
<i>Apartment dwelling</i>				✓	✓
<i>Back-to-back townhouse dwelling</i>		✓			
<i>Conservation use</i>	✓	✓	✓	✓	✓
<i>Day care</i> (1)	✓	✓	✓	✓	✓
<i>Emergency service facility</i>	✓	✓	✓	✓	✓
<i>Home occupation</i>	✓	✓	✓	✓	✓
<i>Long term care facility</i>			✓	✓	✓
<i>Park, public</i>	✓	✓	✓	✓	✓
<i>Private home daycare</i> (1)	✓	✓	✓	✓	✓
<i>Retail store, accessory</i>					✓
<i>Retirement home</i>			✓	✓	✓
<i>Short-term accommodation</i> (1)	✓	✓	✓	✓	✓
<i>Stacked townhouse dwelling</i>			✓		
<i>Stormwater management facility</i>	✓	✓	✓	✓	✓
<i>Townhouse dwelling</i>	✓				

Additional Regulations for Permitted Uses Table 6.2.2

1. A maximum of one of the *accessory uses* subject to this footnote shall be permitted in a *dwelling* or an *accessory dwelling unit* associated with the main *dwelling*. (2023-024)



PIM NOTES

KITCHENER
WOODBRIDGE
LONDON
BARRIE
BURLINGTON

Date: May 11, 2023
Time: 6:30 PM – 7:30 PM
Location: ZOOM Webinar – Virtual Meeting
Re: Public Information Meeting, 1295 Sixth Line, Oakville

Presenters:

MHBC: Dana Anderson

RBA: Rick Brown

Panelists:

- MHBC: Aleksandra Skrzat
- Rosethorn Developments: Bernard Filice
- LEA Consulting: Jocelyn Lee
- Councilors: Jeff Knoll; Marc Grant

Attendees: Michelle Knoll; Samsung SM-SP11W; Ruth; Riley McKnight; Oakville Planning; Kevin; Katie; Jessie; Jack; Dillon; Bruce; Angela B; 905-844-4040; 416-616-5203; Kathy and Jay

Opening Remarks, Overview of the project

Questions:

Angela: Please send copy of the presentation

A: will be sent

Ruth: Please send copy of the presentation

A: will be sent

Anonymous: What is the timeline to obtain the Town of Oakville Approval?

A: Still early stages; Will need to prepare required reports, Town circulates application studies (3-4 month)

Bruce: Where is the garbage going?

A: Private pickup, located near the back of the building (screen wall in front of the area; landscaping along the property line); will not have large municipal trucks going through the site

Bruce: Please give me a copy of the presentation. Will the building have solar panels or cell phone repeaters on top?

A: Solar collectors on the roof might be introduced if it would have significant advantage with the process through the municipality (not the visible types that can be seen from the area)

An: How will smell be minimized?

A: Refuse room, only put out at the time of pickup; make every attempt to remove any impact

Ruth: Will there be balconies that will face the houses?

A: balconies facing to the south – significant distance away

Angela: How did you decide an apartment vs town homes?

A: A number of options were looked at; depth of the lot – more manageable to work with rather than townhomes; TH was pushing a lot of the TH's towards the south and creating a situation losing a lot of trees; second reason with the TH type development would be limited to the mix of units and we wanted to address housing options within the new building; apartment allows to provide range of apartment unit types and sizes to meet the housing needs in the area; better to transition to the north

Angela: How far away will the back of the building be from the residential property line?

A: About 50 feet or so at the minimum and as you go back it gets further; do have a screen wall closer to the property line

Anonymous: Do you think 80 units are too much for such a small lot

A: 70 units are proposed; 80 parking spaces; balance of units with all of the required requirements; we are confident with the design and transition; meeting the town's parking requirements – we are not seeking a reduction

Angela: Wondering how noise will be minimized for the 2-semis (4 homes) directly behind the building (to the south)

A: Separation distance; there are a number of ways which mitigation of noise and impacts can occur; continue to work with the town; additional landscaping, noise cancelling fencing;

Kathy: what is the estimated time line for building as the noise, mess, and traffic problems from the builder are literally in my backyard

A: Town does have requirement for what is called a construction management plan; intent of the plan with development to ensure the impacts are minimized as much as possible (noise, when construction can take place); town would have regular inspections to make sure all the requirements are adhered to; intent is to minimize that timelines; would be made aware when construction would start and a timeline

Ruth: How bright are the lights going to be at the front of the building?

A: Requirements for lighting discussed, lights will be shielded to only be on own property and not neighboring properties (regulations followed as well)

Bruce: Will there be electric car chargers on the site?

A: will look into this (feasibility and recommendation is needed)

Kathy: How do u replace the sunshine and sunset we will all lose on Redbank?

A: Key studies required that related to sun and shadow is a shadow study – requirement by the Town. Key consideration to meet the angular plane requirements; push building back as much and stepping the building back

Anonymous: Will the town has the plan to improve the Sixth line, like make it doubled lanes? Since adding 80 car, plus cars from visitors, it will make huge impact on the traffic in this area?

A: Will look into widening (see if there is planned); as part of development application a transportation impact study will be done (get terms of reference and include specific intersections to look at, times of day and days of the week, assess existing traffic; mitigation measures will be looked into if there are implications

Ruth: Will the excavation vibrations affect my yard/house?

A: Full requirement through Site Plan process to provide grading and excavation, SWM – all elements are in place to ensure that none of the changes would affect neighboring properties; if there are impacts – hopefully there aren't' with all the provisions put in place – all requirements will be put in place (not aware of situations where it has occurred)

Angela: I am concerned about air flow and breeze given the building will be in my backyard

A: Key studies required that related to sun and shadow is a shadow study – requirement by the Town. Key consideration to meet the angular plane requirements; push building back as much and stepping the building back

An: Has this Plan been socialized with the Halton District School Board which is North and East of the Property Line?

A: When the plan is submitted it will be circulated to the school board (as neighboring and yield of student) – will be engaged in the process

Anonymous: When will it be known once this plan has been approved?

A: In terms of comments from agencies – those are provided as a staff report when brought to the Statutory Public meeting and comments from the public are also provided; all comments; some matters are moved into the site plan process; registered agreement through that process

Kevin: The land should be used as greenspace/ Town should purchase it

Kathy & Jay: Major bus stop on the corner (serves students) with all the construction (boards) – how do you expect to help these people make sure they can get to the bus/ to the store

A: Through discussions with town's transit department; look at improving that bus stop to make improvements to make sure it is safe and accessible

There is a major bus stop Oakville bus right in front of this site - how are you planning on helping all the students and elderly getting there with the construction

Angela: I am going to admit that I am not very excited about the prospect of a 6 storey building in my backyard and living through the construction dirt, noise, etc. as I currently enjoy spending time in my backyard which is a quiet oasis!

A: Understand that sentiment and those concerns; as we go forward we will continue to look at the design and ensure an appropriate transition; reason why we looked into precedents in other parts of Oakville; Burlington to show the transition

Kevin: Has the property been sold

A: Purchase agreement in terms of the process, and we are early in the process

Jessie: totally agree - The land should be used as greenspace!

Dana Anderson: Timing process – neighboring concerns and design – town has limited time to process the first application (determining the change in land use 3-4 months); order of 9-12 months before final approvals and there is the site plan process (this will be longer)

Anonymous: The units will be for sale or rent? Condo or apartment?

A: Ownership group has been looking at this; looking to build purpose- built rental and condo units (reason for polls about what housing is important for the Community) – do not have this information secured yet

Angela: I thought apartment implied the units would be for rent?

A: often times purpose built rental or condo apartments – it can be one or the other but at the time this has not been confirmed

7:24 PM Meeting Closed

Delia McPhail

From: Kim Carlton [REDACTED]
Sent: Sunday, May 19, 2024 12:00 AM
To: 1aplusgeek; Delia McPhail
Subject: Concerned about redevelopment of 1295 Sixth Lind

You don't often get email from [REDACTED]. [Learn why this is important](#)

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Delia,

We are the owners of [REDACTED] Sixth Line and we only recently became aware of the proposed redevelopment of 1295 Sixth Line directly across the street from us. We have a family with children who attend White Oaks and Montclair and who walk to school along the path next to the proposed redevelopment. We are concerned about their safety with so many people moving in to this development. As well we are concerned about increased traffic congestion on a street that is very busy already.

This street and area is very beautiful and peaceful. We do not think that this development will be beneficial for the great community that exists here. There are better locations to increase density in areas like Kerr and Speers and closer to the Oakville Go station.

We are also concerned that this development will decrease home values which in turn will decrease taxes collected by the Town of Oakville

Please let us know if there is another opportunity to voice our opinions.

Thank you,

Kimberley Carlton and Michael Grabowski

Delia McPhail

From: Michael Jordan [REDACTED]
Sent: Sunday, May 19, 2024 5:48 PM
To: Mayor Rob Burton; Town Clerks
Subject: Sixth line building proposal

Follow Up Flag: Follow up
Flag Status: Completed

You don't often get email from [REDACTED]. [Learn why this is important](#)

SECURITY CAUTION: This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear elected officials and the town of Oakville,

I am writing to express my strong opposition to the proposed construction of a 70-unit apartment building in our neighborhood (6th line area). While I understand the need for housing development, I believe this project is ill-suited for our already high-density area and will exacerbate several existing issues.

Firstly, our community already has two French schools, two Catholic schools, four regular public schools (Montclair, sunningdale, Munns and White oaks) and a community college all within a small radius. Hence, we have a lot of traffic and congestion. The addition of a 70-unit apartment building could potentially bring at least 200 new residents to an area that is already congested. Our streets, particularly the main thoroughfare (6th line), is not designed to handle this additional traffic. Increased population density will lead to more congestion, making it unsafe for children and families who walk to these schools every day. The limited infrastructure cannot support such a significant increase in population without compromising the safety and quality of life for current residents.

Secondly, the lack of rent control in the proposed apartment building raises serious concerns (Doug ford got rid of rent control for new apartments). Without regulation, landlords can impose exploitative rent increases after the first year, forcing residents, many of whom are likely to be students, to seek additional roommates to afford the high rents. This could lead to overcrowded living conditions, as we have observed in nearby cities (eg Brampton) where international students sometimes live with 10 to 20 people in a single apartment. Such situations are not only unsafe but also diminish the overall quality of life in the community.

Increased density from overcrowded apartments would further strain our community resources and infrastructure. We do not want to see our neighborhood become an overpopulated area with inadequate facilities. It is crucial to maintain the livability and safety of our community for current and future residents.

In light of these concerns, I urge you to reconsider the approval of this apartment building. Please prioritize the well-being and safety of our community by preserving its livability and preventing further congestion and potential exploitation.

Thank you for your attention to this matter. I am hopeful that you will consider the significant impact this development would have on our community and take the necessary steps to protect it.

Sincerely,

M.J.



OAKVILLE

REPORT

Planning and Development Council Meeting

Meeting Date: July 8, 2024

FROM: Planning Services Department

DATE: June 25, 2024

SUBJECT: **Public Meeting Report, Official Plan Amendment, 3064 Trafalgar Partnership, File No.: OPA1313.11**

LOCATION: 3060 and 3068 Trafalgar Road (formerly 3064 Trafalgar Road)

WARD: Ward 7

Page 1

RECOMMENDATION

1. That comments from the public with respect to the proposed Official Plan Amendment application submitted by Korsiak Urban Planning on behalf of 3064 Trafalgar Partnership (File No.: OPA1313.11), be received.
2. That Staff consider such comments as may be provided by Council.

KEY FACTS

The following are key points for consideration with respect to this report:

- **Nature of Application:** The applicant has applied for an Official Plan Amendment (OPA) to develop the site with two 33-storey residential buildings, whereas the North Oakville East Secondary Plan (NOESP) permits two 30-storey buildings.
- **Proposal:** The proposed development includes 60 additional residential units and an extra level of underground parking. The corresponding Site Plan Application (SP.1313.006/01) is in its fourth review, and the corresponding Removal of Holding Provision (Z.1313.09) is in its second review.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting (“PIM”) was held on December 20, 2023, which was attended by eight members of the public, and Planning staff.

BACKGROUND

The purpose of this report is to introduce the submitted application in conjunction with the Statutory Public Meeting. Council will hear public delegations on the applications, ask questions of clarification and identify matters to be considered. No recommendations or decisions on the applications are being made at this time.

It should be noted that on April 12, 2021, Town Council approved a Zoning By-law Amendment application (Z.1313.09) to permit the development of the subject lands with two 30-storey residential towers (100 m maximum height), subject to execution of a Section 37 Agreement. The applicant made their required Bonusing payment on December 13, 2022, in accordance with the registered Section 37 *Planning Act* Density and Height Bonusing Agreement. If the submitted OPA is successful, the applicant would be required to provide the Town with a supplementary amount to “top up” the previous Bonusing payment.

APPLICATION SUMMARY

Applicant/Owner: 3064 Trafalgar Partnership

Purpose of Application(s): The purpose of the Official Plan Amendment application is to add an Exception to the subject lands in order to permit a maximum building height of 33-storeys.

An aerial map, existing North Oakville East Secondary Plan land use schedule and an existing excerpt from the Zoning By-law 2009-189 are included in **Appendix “A”**.

Effect of Application(s): The effect of the Official Plan Amendment application would be to facilitate the addition of three storeys in each tower, resulting in 60 additional residential units and 108 additional underground parking spaces.

A copy of the applicant’s Concept Plans are included as **Appendix “B”** and a copy of the applicant’s proposed Official Plan Amendment is included as **Appendix “C”**.

Submitted Plans / Reports: The applicant has provided technical supporting studies that are currently under review by various public agencies and internal Town departments. The supporting documentation is accessible on the Town’s website at:

[3064 Trafalgar Partnership - 3060 and 3068 Trafalgar Road - OPA 1313.11 \(oakville.ca\)](https://www.oakville.ca/3064-Trafalgar-Partnership-3060-and-3068-Trafalgar-Road-OPA-1313.11).

Property Location: The subject lands are located on the west side of Trafalgar Road, north of Dundas Street East and south of Wheat Boom Drive and is municipally known as 3060 and 3068 Trafalgar Road.

Surrounding Land Uses: The surrounding land uses are as follows:

- *North* – Vacant agricultural lands (Green Ginger Subdivision 24T-16006/1313 – under appeal).
- *East* – Natural Heritage System (Morrison Creek).
- *South* – Multiple properties and a gas station designated as Trafalgar Urban Core Area and Natural Heritage System, but are not currently subject to a development application.
- *West* – stormwater management pond, beyond which is a residential subdivision including three residential mid-rise buildings.

Key Milestones:

Milestone	Date
Public Information Meeting	December 20, 2023
Pre-Consultation Meeting	January 10, 2024
Application Submitted	May 28, 2024
Application Deemed Complete	May 28, 2024
P & D Council – Statutory Public Meeting	July 8, 2024
Date Eligible for Appeal for Non-decision	September 25, 2024

Planning Staff will bring forward a Recommendation Report once all of the Staff, agency, public and Council matters of interest or concern have been addressed by the applicant through a formal resubmission.

PLANNING POLICY CONTEXT

The subject lands are subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2020)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- North Oakville Zoning By-law 2009-189, as amended

A full analysis of the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020), Halton Regional Official Plan will be included within the future Recommendation Report.

Applicable Policy Excerpts are included as **Appendix “D”**.

MATTERS UNDER REVIEW

These applications are under review by Town departments and agencies. The following are general issues that will be addressed in a future recommendation report, in addition to any comments from the public, Council and commenting agencies:

- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints.
- Confirmation of being a member in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.
- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2020 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the policies of the Region of Halton Official Plan.
- Conformity of the proposal with the land use designations and policies of the North Oakville East Secondary Plan and Master Plan.
- Confirmation from the Region that the applicant has secured sufficient allocation to allow the full build-out of the subdivision.
- Coordination of the Site Plan and Removal of Holding Provision applications, to the satisfaction of Conservation Halton, the Region and the Town.
- Conformity with Urban Design policies on matters such as built form, lot sizes, transitions and compatibility with adjacent properties, interface with public realms and vehicular access.
- Consideration of the public and community benefits as part of the Section 37 Bonus Agreement related to the Maximum Height permitted in the Zoning By-law 2009-189.

CONCLUSION

Staff will continue to review and analyze the submitted Official Plan Amendment application and address all technical matters, along with submitted public comments. No further notice is required; however, notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

CONSIDERATIONS

(A) PUBLIC

An applicant-initiated virtual Public Information Meeting (“PIM”) was held on December 20, 2023, to present the subject application. Eight members of the public, and Planning Staff attended. Minutes of the meeting are included as “Appendix “E”.

No written submissions have been received as of the writing of this report.

Notice of Complete Application and Statutory Public Meeting were distributed to property owners within 240 m of the subject lands in accordance with the Town’s notice requirements.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

The proposed development will be reviewed to ensure compliance with the Town’s Sustainable Development Strategy of the North Oakville East Secondary Plan.

APPENDICES

Appendix “A”: Mapping

Appendix “B”: Concept Plans

Appendix “C”: Applicant’s Draft Official Plan Amendment

Appendix “D”: Policy Excerpts

Appendix “E”: PIM Minutes

Prepared by:

Brandon Hassan, MCIP, RPP

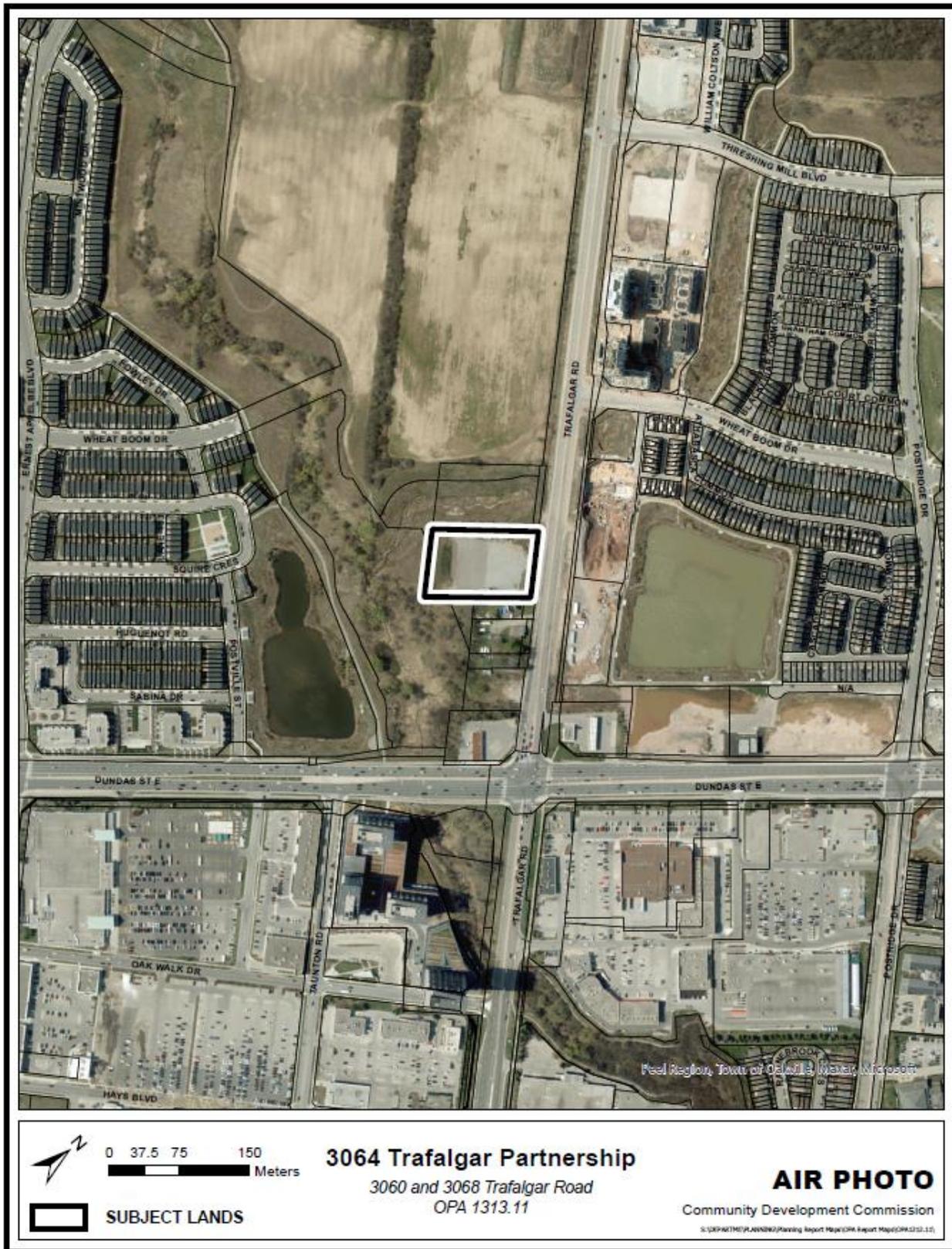
Senior Planner, East District – Current Planning

Recommended by:

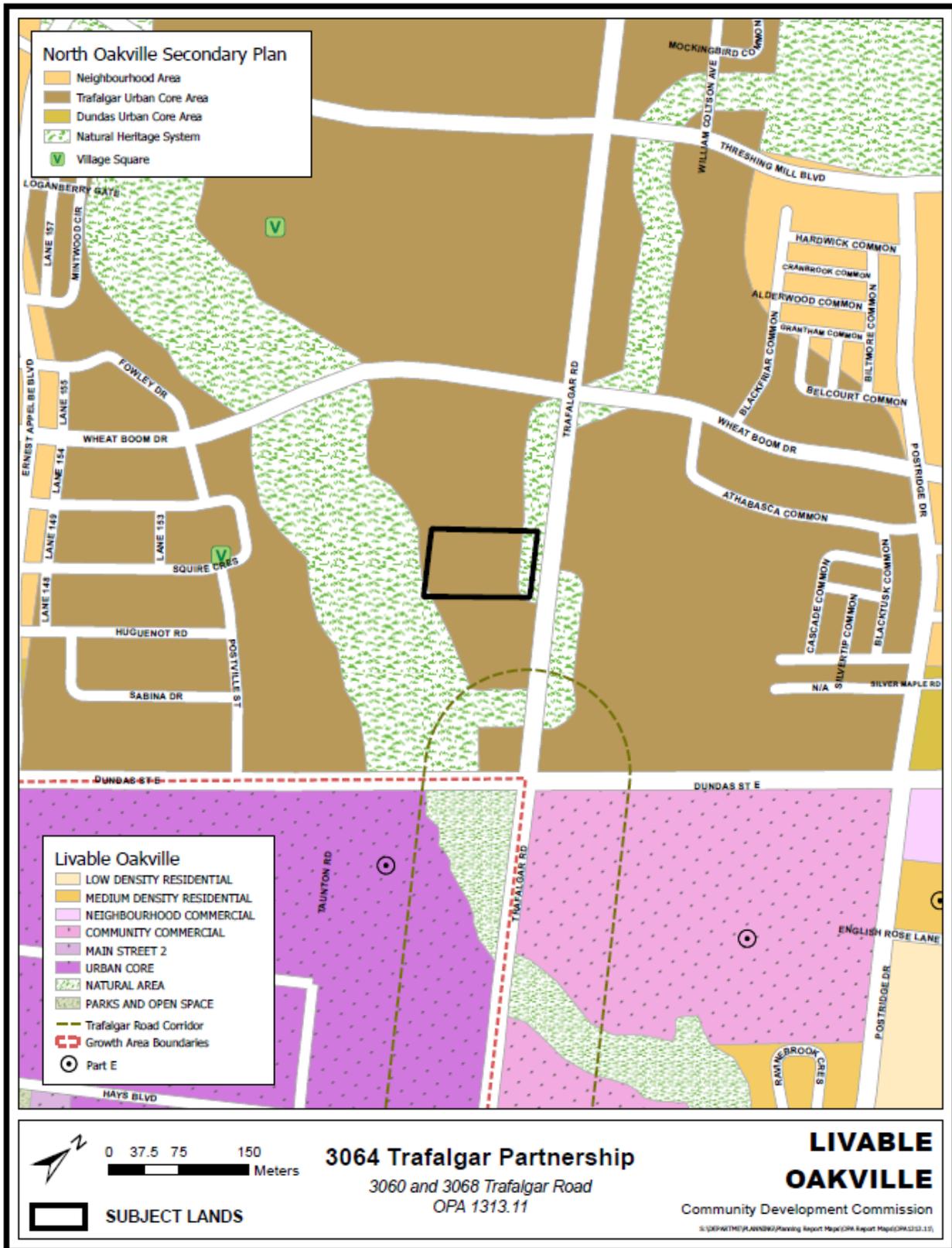
Leigh Musson, MCIP, RPP
Manager, East District – Current Planning

Submitted by:
Gabriel A.R. Charles, MCIP, RPP
Director, Planning and Development

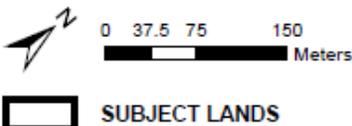
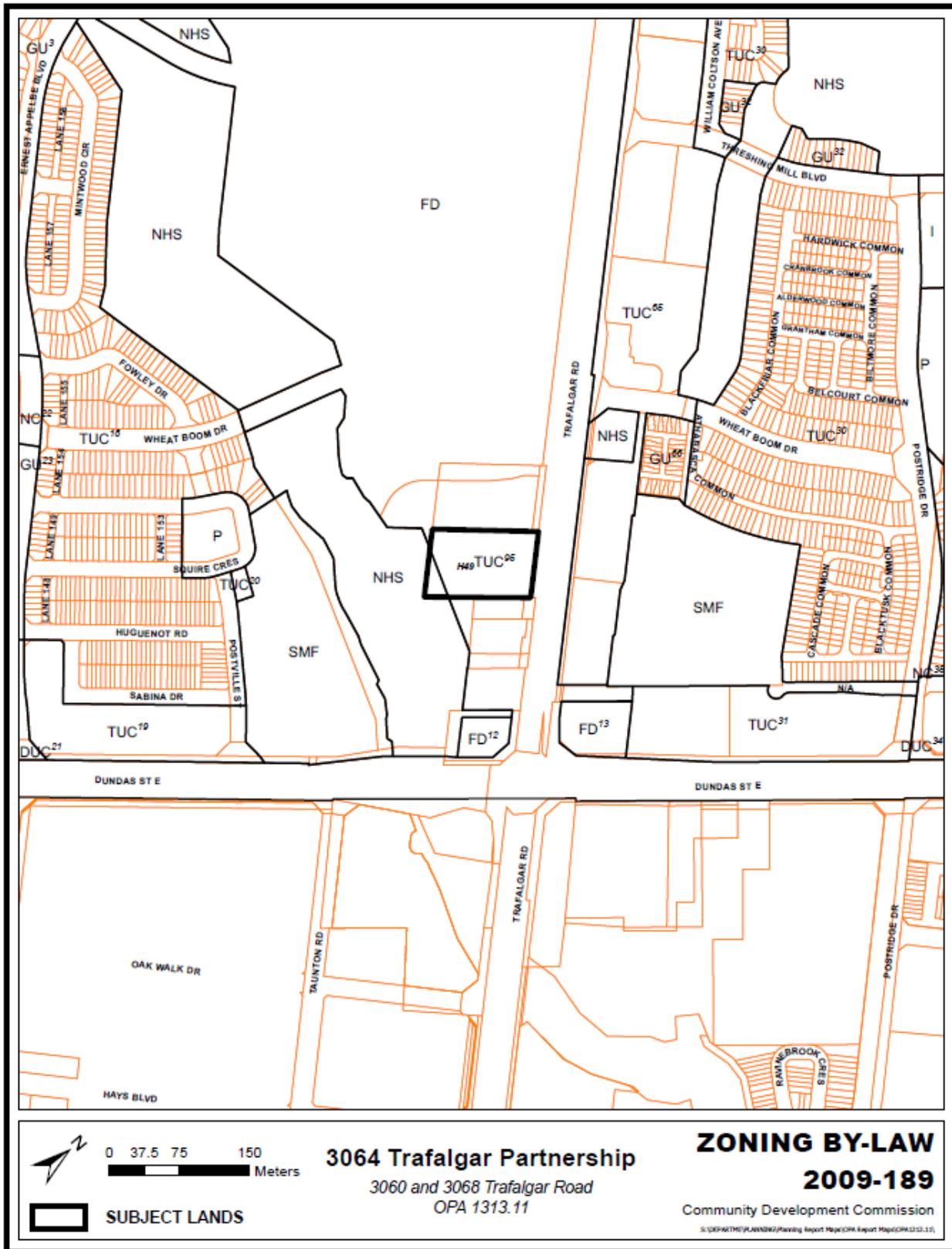
Appendix "A": Mapping



Appendix "A": Mapping



Appendix "A": Mapping



3064 Trafalgar Partnership
3060 and 3068 Trafalgar Road
OPA 1313.11

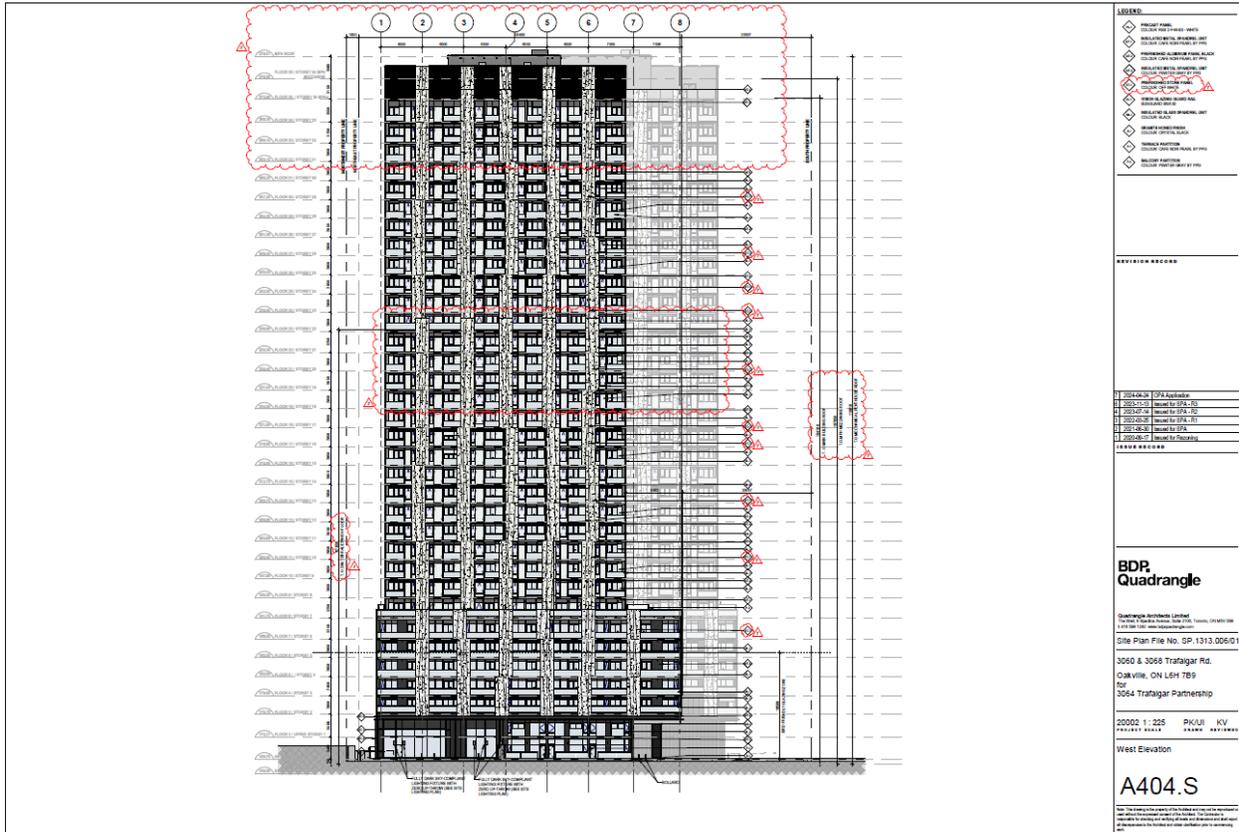
ZONING BY-LAW
2009-189

Community Development Commission

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Appendix "B": Concept Plans

West Elevation



Conceptual Renderings



CURRENT SCHEME - 30 STORIES + MEZZANINE



PROPOSED SCHEME - 33 STORIES + MEZZANINE

Appendix “C”: Applicant’s Draft Official Plan Amendment

APPENDIX I: DRAFT OFFICIAL PLAN AMENDMENT

Official Plan Amendment Number ____
to the North Oakville East Secondary Plan
forming part of the Official Plan of the Oakville Planning Area
of the Town of Oakville

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitutes Amendment Number ____ to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area.

Part 1 – The Preamble

1. Purpose

The purpose of the proposed Official Plan Amendment is to modify the text of the North Oakville East Secondary Plan to permit an increase in height and density of up to 33-storeys to facilitate the construction of two 33-storey mixed-use buildings.

2. Location

The site subject to this Official Plan Amendment is legally known as Part of Lot 13, Concession 1, N.D.S. The property comprises an area of 0.70 hectares on the west side of Trafalgar, between Dundas Street West and Burnhamthorpe Road West.

3. Basis

- The proposed development has regard for matters of provincial interest, does not conflict with all applicable provincial plans, the Region of Halton Official Plan and conforms to the North Oakville East Secondary Plan.
- A statutory public meeting on the proposed Official Plan Amendment was held on __XX__.
- Apartment buildings are a permitted use in the Trafalgar Urban Core Area land use designation of the North Oakville East Secondary Plan.
- The proposed design of the apartment buildings is contextually appropriate, to minimize impact and maintain compatibility with the surrounding land uses.

Appendix “C”: Applicant’s Draft Official Plan Amendment

- An updated Traffic Impact Analysis has confirmed that the traffic generated by the proposed development can be accommodated on the existing and planned road network.
- An Urban Design Brief demonstrates compatibility with the objectives of the Livable By Design Manual.
- The property is located on Trafalgar Road, a major arterial which is an identified Transit Corridor.
- The proposed density of the development is transit supportive and contributes to the overall objective to reduce reliance on vehicle trips in North Oakville.
- Detailed regulations to implement the proposed development have been established through the associated site-specific Zoning By-law Amendment, which will be further amended through a minor variance for the increased heights.

Part 2 – The Amendment

A. Text Changes

The amendment includes the changes to the text of the North Oakville East Secondary Plan listed in the following table. Text that is **bolded and underlined** is new text to be inserted into the North Oakville East Secondary Plan.

Item No.	Section	Description of Change
1.	7.6.18 EXCEPTIONS	Insert new policies as follows: <u>7.6.18.XXX Part of Lot 13, Concession 1, NDS</u> <u>Notwithstanding section 7.6.7.1.c), apartment buildings with a maximum height of 33-storeys is permitted on, Part of Lot 13, Concession 1, NDS.</u>

Appendix “D”: Policy Excerpts

Provincial Policy Statement - 2020

The Provincial Policy Statement (2020) (‘PPS’) is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

The subject lands are located within a settlement area, which are to be the focus of growth and development (policy 1.1.3.1). The land use patterns within the settlement area based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive.

Part V: Policies

1.1 **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

Appendix “D”: Policy Excerpts

- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario’s settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;

Appendix “D”: Policy Excerpts

- d) prepare for the *impacts of a changing climate*;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

1.2 Coordination

- 1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
 - a) managing and/or promoting growth and development that is integrated with *infrastructure* planning;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities*

Appendix “D”: Policy Excerpts

- and *waste management systems*;
- e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*; and
 - h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.

1.4 Housing

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and

Appendix “D”: Policy Excerpts

which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

- b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Growth Plan (2019)

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The subject lands are located within a “Built-Up Area.”

Section 2.2 – Policies for Where and How to Grow

2.2.1 – Managing Growth

Appendix “D”: Policy Excerpts

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a. the vast majority of growth will be directed to settlement areas that:
 - i. have a *delineated* built boundary;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;

- c. within *settlement areas*, growth will be focused in:
 - i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;

2.2.1.4 Applying the policies of this plan will support the achievement of *complete communities* that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;
- f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
- g) integrate green infrastructure and low impact development.

2.2.6.3 – Housing

Appendix “D”: Policy Excerpts

To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes

1. Community Structure (Figure NOE1)
 - The majority of the subject lands are within the Trafalgar Urban Core Sub-area 4, with a small sliver of Natural Heritage System.
 - The lands have frontage on Trafalgar which is a Major Arterial/Transit Corridor.
 - There is a new Avenue/Transit Corridor (east-west) that is planned slightly north of the site as identified on the Figure.
2. Land Use Plan (Figure NOE2)– The subject lands are within the Trafalgar Urban Core Area. The same new road are identified as above. There are Natural Heritage System lands at the back of the property that will be dedicated to the town.
3. Master Plan (Appendix 7.3) – The Master Plan identifies the following components for the Site: Trafalgar Urban Core Area.
4. Natural Heritage (NOE3) - In the southwest corner of the Site, there are lands identified as a Natural Heritage System area. The stream corridor to the west of the site is identified as being High Constraint.
5. Transportation Plan (figure NOE 4) –Trafalgar Road is identified as both Major Arterial/Transit Corridors and Busway Corridors. Wheatboom Drive is an east-west Avenue/Transit Corridor and identified for Secondary Transit Corridor Service.

Policies

6. Policy 7.2.3.2 – Residential

- a. *“To create residential communities which complement the existing built form elements that are intended to remain within the community, and incorporate the best community planning and urban design practices available...”*
- b. *To establish overall development densities that equal or exceed the density established by the Halton Urban Structure Plan and which are commensurate with the type and frequency of transit service planned for the area.*
- d. *To minimize travel time, traffic, greenhouse gases, servicing costs and energy costs through a variety of mechanisms, and particularly by providing an efficient land use arrangement and a mix of housing forms and tenures.*
- g. *To provide a variety of residential densities and unit types throughout the planning area, responding to the varied needs of the future population...”*

7. Policy 7.2.3.5 – Transportation

Appendix “D”: Policy Excerpts

- f. *“To plan residential development and its road network so that residents are predominately within a 400 metre walking distance of transit services.*
- g. *To promote both local and higher order transit opportunities through land use arrangements, building orientation and streetscape design.”*

8. Policy 7.3.2 – Urban Core

The subject lands are intended to be a “**most urban**” part of the NOESP area.

9. Policy 7.3.6 – Population/Housing Targets

The High Density housing unit target for the ultimate development of the NOESP area is 20%.

10. Policy 7.4.3 – Air/Energy Efficiency

- a. The Town will work to improve air quality and energy efficiency *“by directing through the Secondary Plan policies, and their implementation, through the evaluation of development applications, ... consideration of the following land use and transportation strategies to minimize the amount of vehicular travel and emissions:*
 - ii. *Encourage mixed-use development;*
 - iii. *Encourage increased density near transit stops/stations and along transit routes commensurate with the type and frequency of transit service planned for that area and/or corridor;*
 - iv. *Provide pedestrian and bicycle facilities;”*

11. Policy 7.5.4 – General Design Directions

- a) *“all development, particularly in the Urban Core Areas, Neighbourhood Centre and General Urban Areas, shall be designed to be compact, pedestrian and transit friendly in form. Mixed use development will be encouraged.*
- g) *Building densities and land uses designed to support the use of transit and the level of transit service proposed for specific areas shall be located within walking distances of transit stops and lines.”*

12. Policy 7.5.5 – Streetscape

Trafalgar Road and Dundas Street are key corridors that are expected to develop as vibrant public spaces (7.5.5.1). Sidewalks are generally to be provided on both sides of all streets and the list of exceptions in section 7.5.5.9 a) includes lanes, but *not* private condominium roads. Sidewalks should be included throughout the proposed development, not just on the higher order public roads.

Appendix “D”: Policy Excerpts

13. Policy 7.5.6 – Building Location

- e. *“Higher-density housing shall be located close to Arterial Roads, Avenues, Connectors and transit stops, within Neighbourhood Centres and Urban Core Areas.”*

14. Policy 7.5.13 – Urban Core Areas – Interim Uses & Phased Development

“Urban Core Areas ... are intended to ultimately provide for a primarily mixed use development which is the densest in North Oakville.

- b. *Development shall be designed to be pedestrian and transit friendly from the outset”*

15. Policy 7.5.14 – Trafalgar Urban Core Area

Subsections a) & b) *“The Trafalgar Urban Core Area... is intended as the focal point for development in North Oakville East. The... Area is of particular significance because of the magnitude and mix of uses which it is planned to accommodate and the important roles it is designed to play as a service, employment residential and community activity focus.” In addition to the mixed uses permitted, “Trafalgar Road shall have a strong street-related build edge” and design features to “reflect its significance as the community “main street”.”*

Subsection c) states that development in the area of the Trafalgar/Dundas intersection is envisioned as a mixed use node with a commercial focus that serves to **anchor** the Trafalgar Urban Core Area and ensure a strong relationship with the Uptown Core to the south.

Subsection d) *“minimum and maximum setbacks, densities and other standards will be implemented in the zoning by-law to ensure that development that achieves the standards required as a basis for the creation of this core area.”*

Subsection f) speaks to the “main street” form and uses expected along Trafalgar Road, the entirety of which *“shall have a strong street-related built edge.”*

16. Policy 7.6.4 – Trafalgar Urban Core Area (Land Use Strategy)

The policies in this section permit uses *“to provide for the creation of a major Node – a dense, mixed use development concentration that is pedestrian and transit oriented.”*

17. Policy 7.6.4.7 – Land Use Policies for Core Area 4

Appendix “D”: Policy Excerpts

The majority of the subject lands are within Area 4, which “shall consist primarily of high density residential, major institutional and commercial uses including a “main street” commercial area. The subsections of this policy set out the general configuration of these uses: Mixed use development including office, commercial and residential uses is encouraged at the south end of Trafalgar Road and along Dundas Street (subsection a)). High and medium density residential uses are also permitted. Medium density uses are “encouraged to locate in areas which complement adjacent high density residential development, as well as at the edges of the area as a transition to adjacent residential neighbourhoods.” (subsections b) and c)).

18. Policy 7.6.4.8 Land Use Policies for all Core Areas 1-4

Subsection b) encourages development “to exceed the minimum density to better support transit use wherever possible.” Based on subsection b), it is Long Range Planning staff’s view that the lands within the Trafalgar Urban Core designation between Trafalgar, Dundas, Street A and Street C could be up to 20 storeys in height with a maximum FSI of 5. I share this view. The proposed development includes heights of approximately 3 storeys and blocks with an FSI of 0.78 – 0.98, just above the minimum of 0.75 permitted for lands not fronting onto Trafalgar Road (s. 7.6.4.8 b) i).

Subsection g) states that, “The Town will take a leadership role in encouraging the high density and mixed use development which will form significant components of the ultimate development of the Trafalgar Urban Core Area.” A number of potential mechanisms are listed, including bonus zoning. This policy underscores the focus by the Town in achieving high density mixed use development in appropriate locations. Trafalgar Urban Core area is the most appropriate location for this type of development.

19. Policy 7.10.2 Zoning By-law

“With respect to the bonus provisions of Section 1.3b) {in the Official Plan}, in addition to the matters listed, bonusing for development in the Trafalgar Urban Core may be considered for the provision of urban squares where the provision of such facilities would exceed the 5% parkland dedication requirements, municipal parking structures, underground parking, structure parking, and enhanced streetscape facilities. However, the maximum height of any building in Trafalgar Urban Core Area, including any bonus for height shall be 30 storeys.”

Appendix “E”: Applicant’s Hosted Public Information Meeting Minutes

APPENDIX II: Public Information Meeting (PIM) – December 20, 2023

Distribution: The notice (enclosed) was mailed out to a list provided by the Town with over 350 residential addresses. A radius of 240m surrounding the property was used, which is 2x times the amount required. Notice was also posted on the Town’s website.

Format: The PIM was held virtually, with 2 hours allotted. A presentation was made by the applicant’s planner, followed by a Question-and-Answer (Q&A) period.

Attendees: Approximately 8 individuals participated, including the Town’s file planner. Due to virtual format, no sign-in was required and attendees did not provide/share contact details.

Summary of Comments: Comments provide by residents included:

- Timing of event is terrible, should not have been 4 days before Christmas.
- Materials should be available to residents prior to the event.
- Resident moved in area 4 ½ years ago, did not want to NYC type setting.
- Oakville is a thriving community; we can’t put all growth in one area. Densification should be spread across all of Oakville (e.g., Speers Road).
- Traffic congestion is already an issue.
- 330-storeys too high, no sunshine will be available in December.
- Huge impact on green areas, overwhelmed. Geese used to visit area and now gone.

Response to Comments: The applicant responded to all comments at the meeting.

1. Timing & Distribution: The mail notice was distributed 14-days prior to the PIM to area residents plus additional lists from previous PIM held for the original approved 30-storeys. Timing for a PIM should not be influenced by circumstances, as we cannot satisfy everyone.

2. Materials: The PIM is an applicant-initiated process, held prior to a formal application. The intent is to inform area residents of the development and listen to their concerns. Once a formal application is submitted, materials are made available to the public through the Town website. A statutory public meeting will provide an opportunity to speak to the council.

3. Intensification: The direction for growth and densification is directed by planning authorities, with the plans conforming to the intent of these policies, described in the PJR. This site is within the Trafalgar Urban within an Urban Growth Area.

4. Traffic: The impact of 60 additional units is reviewed through updated TIS and TDMP.

5. Sun-Shadow: A Shadow Study prepared follows the Town’s Guidelines.

All comments were reviewed and taken into consideration prior to the application.



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: July 8, 2024

FROM: Planning Services Department

DATE: June 25, 2024

SUBJECT: Recommendation Report – Draft Plan of Subdivision and Zoning By-law Amendment – Rampen Holdings Inc. – 1086 Burnhamthorpe Road East, File Nos.: 24T-22009/1310, Z.1310.18 – By-law 2024-090

LOCATION: 1086 Burnhamthorpe Road East

WARD: Ward 6 Page 1

RECOMMENDATION:

1. That revised Draft Plan of Subdivision and Zoning By-law Amendment applications (File Nos. 24T-22009/1310 and Z.1310.18), submitted by Rampen Holdings Inc., be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated June 25, 2024.
2. That By-law 2024-090, an amendment to Zoning By-law 2009-189, be passed.
3. That the Director of Planning and Development is authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-22009/1310) submitted by Rampen Holdings Inc., prepared by Robert Russell Planning Consultants, dated June 4, 2024, subject to the conditions contained in Appendix "A."
4. That once 24T-22009/1310 has been draft approved by the Director of Planning and Development, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor or designates.

5. That the Subdivision Agreement be executed in accordance with By-law 2023-021.
6. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
7. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS:

The following are key points for consideration with respect to this report:

- This report recommends approval of the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications submitted by Rampen Holdings Inc.
- The applications consist of approximately 15.46 hectares of land with 136 detached dwellings, 52 townhouse units, a village square and natural heritage system.
- The subject lands are designated Neighbourhood Area, Village Square and Natural Heritage System Area within the North Oakville East Secondary Plan (Figure NOE2).
- The lands are zoned Future Development Special Provision 16 (FD 16) within Zoning By-law 2009-189.
- An applicant-initiated Public Information Meeting ("PIM") took place on September 12, 2022, and was attended only by the applicant and Planning Staff.
- A Statutory Public Meeting was held on June 26, 2023; no public members spoke to the subject application.
- Staff recommend approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications as the proposal is consistent with the Provincial Policy Statement, conforms and does not conflict with the Growth Plan, conforms to all Provincial Plans, the Region of Halton Official Plan and the general intent and purpose of the North Oakville East Secondary Plan. The proposed development aids in achieving complete communities, including the protection of the natural heritage system, in accordance with the Town's established Urban Structure.

BACKGROUND:

The purpose of this report is to provide a full staff review of the applications and a recommendation for the proposed Draft Plan of Subdivision and Zoning By-law Amendment applications. A Statutory Public Meeting was hosted by Oakville Town Council on June 26, 2023. No members of the public attended the Public Meeting, and no written submissions were received following the meeting.

If approved, the Draft Plan of Subdivision will create 136 detached dwellings, 52 townhouse units, a village square, public streets, walkways, and an extension of the natural heritage system. It should be noted that the Joshua Creek Cultural Heritage Art Centre located on the northern portion of the subject land is not part of the proposed development.

The effect of the proposed By-law 2024-090 is to rezone the lands from Future Development Special Provision 16 (FD 16) to Future Development (FD), site-specific General Urban (GU sp:101, GU sp:131), site-specific Suburban (S sp:128), Park (P) and Natural Heritage System (NHS).

The current applications were submitted and deemed complete on November 17, 2022. The applicant-initiated Public Information Meeting (“PIM”) took place on September 12, 2022, and was attended only by the applicant and Planning Staff.

Proposal

The applicant submitted a Draft Plan of Subdivision (Figure 1) and Zoning By-law Amendment application to permit the development of the 15.46 hectare parcel into:

- 188 residential units;
- multiple blocks to be consolidated with adjoining blocks to create additional residential units;
- one block to be consolidated with an adjoining block to create a village square; and
- conveyance of natural heritage system lands.

The Draft Plan of Subdivision proposes to create blocks containing a range of uses as described below:

Draft Plan Feature	Units (#)	Area (ha)
Detached Dwellings (11.60 m)	78*	2.94
Detached Dwellings (9.8 m)	54	1.35
Street Townhouses	52	0.98
Part Blocks (Blocks 141-147)	4	0.50
Future Development (Block 148)	TBD	2.91
Walkways (Block 149-150)		0.02
Future Road Allowance (Block 151)		0.03
Temporary Turning Circle (Block 152)		0.04
Core 10 NHS (Block 153)		3.50
Linkage Preserve Area (Block 155)		0.07
Village Square (**Block 156)		0.17
Streets (A – I)		2.95
TOTAL	188*	15.46

*Lot 18 will be removed and remain Future Development (FD), while a new lot will be added through detailed drawing of the M-Plan.

**Block 156, when combined with the adjoining Village Square block on the Mattamy Phase 3 lands, will create a 0.33 ha Village Square.

The housing types proposed are outlined in the table below:

Proposed Unit Type	Units (#)
Detached Dwellings	136
Townhouses	52
TOTAL	188

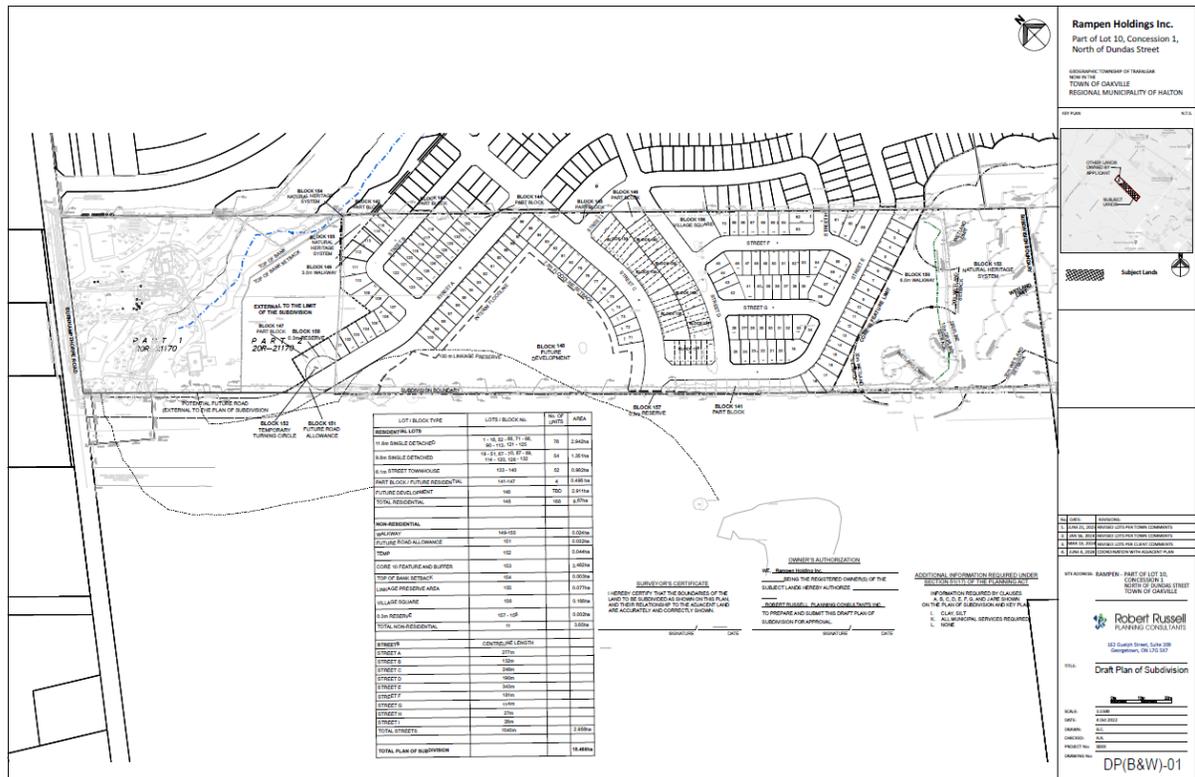


Figure 1: Proposed Draft Plan of Subdivision

The subject development will assist in achieving a complete community in this location with the extension of roads and servicing from the Mattamy Joshua Creek Phase 3 lands and the completion of a village square (Figure 2).

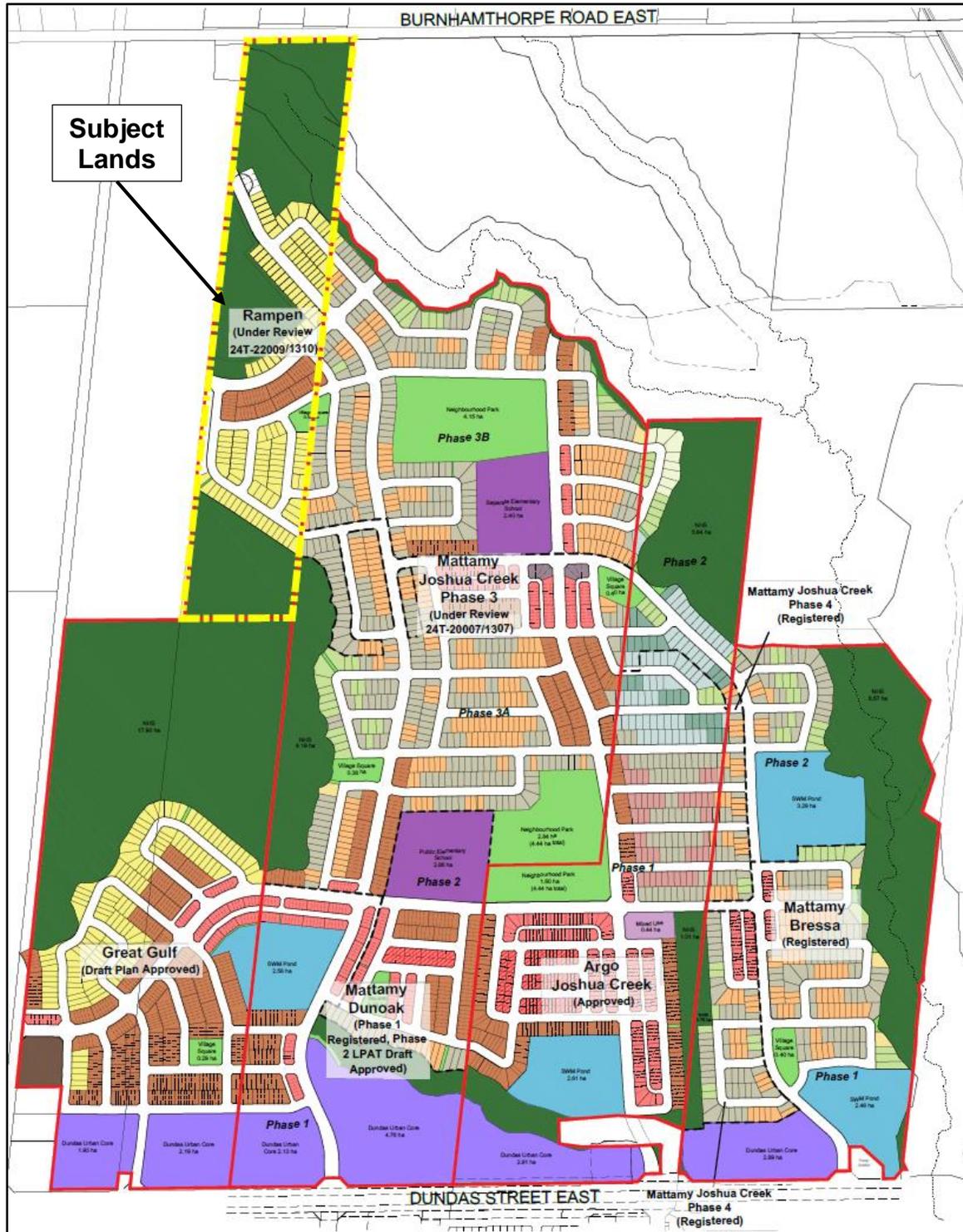


Figure 2: Context Plan

Location & Site Description

Location

The property is generally located on the south side of Burnhamthorpe Road East and west of Ninth Line as shown on Figure 3. The municipal address is 1086 Burnhamthorpe Road East.



Figure 3: Air Photo

Site Description

The subject lands are located north of the Redoak/Capoak (Great Gulf) and Dunoak subdivisions. Vehicular access to the subdivision will be coordinated through the abutting Mattamy Joshua Creek Phase 3 subdivision to the east. The subject lands are generally flat and are used for agricultural purposes, with the northern portion of the lands containing the Joshua Creek Cultural Heritage Art Centre and grounds.

Approximately 3.55 ha of the 15.46 ha property will be conveyed to the Town as Natural Heritage System.

Surrounding Land Uses

Generally, the surrounding land uses are as follows:

South: Redoak/Capoak (Great Gulf) Draft Approved Plan of Subdivision (24T-20009/1310) consisting of detached dwellings and townhouse units, Dundas Urban Core blocks, natural heritage system and a stormwater management pond. The natural heritage system was conveyed to the Town in 2023 as part of their first registration.

East: Mattamy Joshua Creek Phase 3 Draft Approved Plan of Subdivision (24T-20007/1307) consisting of detached dwellings and townhouse units, a neighbourhood park, an elementary school block, as well as a partial village square that will be developed in conjunction with the village square on the subject lands. Mattamy is actively working toward the registration of its first phase.

North: Joshua Creek Cultural Heritage Art Centre, Burnhamthorpe Road East and agricultural lands designated for employment uses.

West: Agricultural and natural heritage system lands.

PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2020)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- North Oakville Zoning By-law 2009-189, as amended

Provincial Policy Statement

The Provincial Policy Statement (2020) (PPS), which came into effect on May 1, 2020, continues to recognize that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The subject lands are located within a settlement area, which is to be the focus of growth and development. The land use patterns within the settlement areas are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive. On this basis, the proposed Draft Plan of Subdivision and Zoning By-law Amendment are consistent with the PPS (2020).

Excerpts of relevant PPS policies to the application are attached as Appendix 'B'.

A Place to Grow

A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2020), is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. The Growth Plan provides that it is to be read in its entirety, and the relevant policies are to be applied. When more than one policy is relevant, a decision maker should consider all of the relevant policies to understand how they work together.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

The subject lands are located within an identified “Settlement Area”, where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Key principles set out in Section 1.2.1 include prioritizing intensification and higher densities to make efficient use of land and infrastructure and support transit viability while at the same time considering adjacent land uses, compatible built form and transitioning.

On this basis, the proposed Draft Plan of Subdivision and Zoning By-law Amendment are consistent with the Growth Plan and contributes to the achievement of complete communities.

Excerpts of relevant Growth Plan policies to the application are attached as Appendix ‘B’.

Halton Region Official Plan

The subject lands are designated “Urban Area” in the Regional Official Plan (ROP) with portions of the “Regional Natural Heritage System” (RNHS). The Urban Area is “planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities”. The policies of the Urban Area designation support a form of growth that is compact and supportive of transit, the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

2020/2023 Servicing Allocation Program – Water and Wastewater

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

The subject lands are located in a designated greenfield area and are subject to the 2020/2023 Regional Allocation Programs (Law file number 2020-205).

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place.

In a letter dated May 15, 2024, Halton Region advised Town Staff that they have no objection to the proposed development, subject to the recommended Conditions of Draft Plan Approval, and the inclusion of “H” Holding Provisions in the Zoning By-law to address access to servicing infrastructure and allocation.

North Oakville East Secondary Plan

Urban Structure

The *Livable Oakville Plan* is undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

Schedule A1, Urban Structure, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Residential Areas and Natural Heritage System*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town's existing urban structure and was approved by Halton Region on April 26, 2018, and deemed to conform to the Growth Plan and is consistent with the PPS.

North Oakville East Secondary Plan (NOESP)

The North Oakville East Secondary Plan (NOESP) provides a planning framework for the lands north of Dundas Street and south of Highway 407 between Ninth Line and Sixteen Mile Creek. The NOESP is not part of the *Livable Oakville Plan* but endures as an amendment to the Town's 2006 Official Plan.

The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed-use development, and a modified grid road system that enhances transportation options for transit and pedestrians.

The land use designations which apply to the subject lands consist of *Neighbourhood Area, Village Square, Joshua Creek Floodplain Area, Natural Heritage System Area, Avenue/Transit Corridor* and *Connector Transit Corridor* in Figure NOE2, Land Use Plan (Figures 4a and 4b).

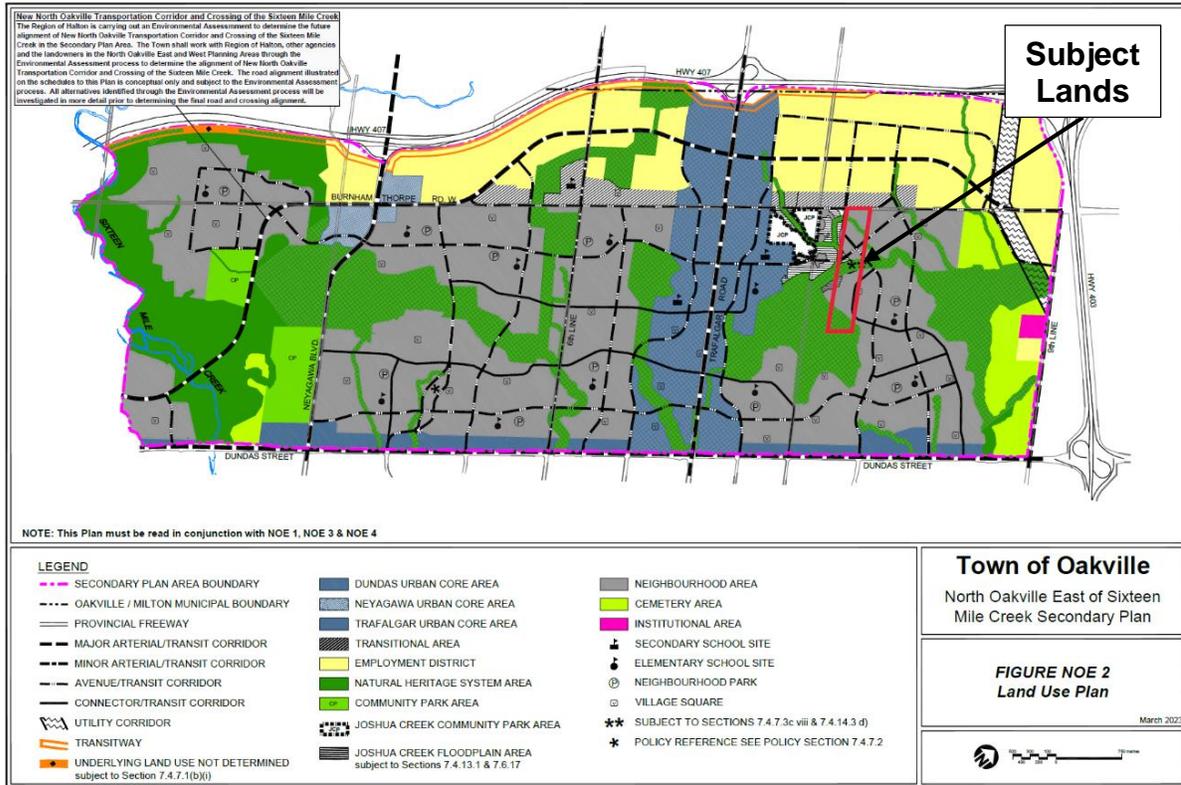


Figure 4a: Figure NOE2

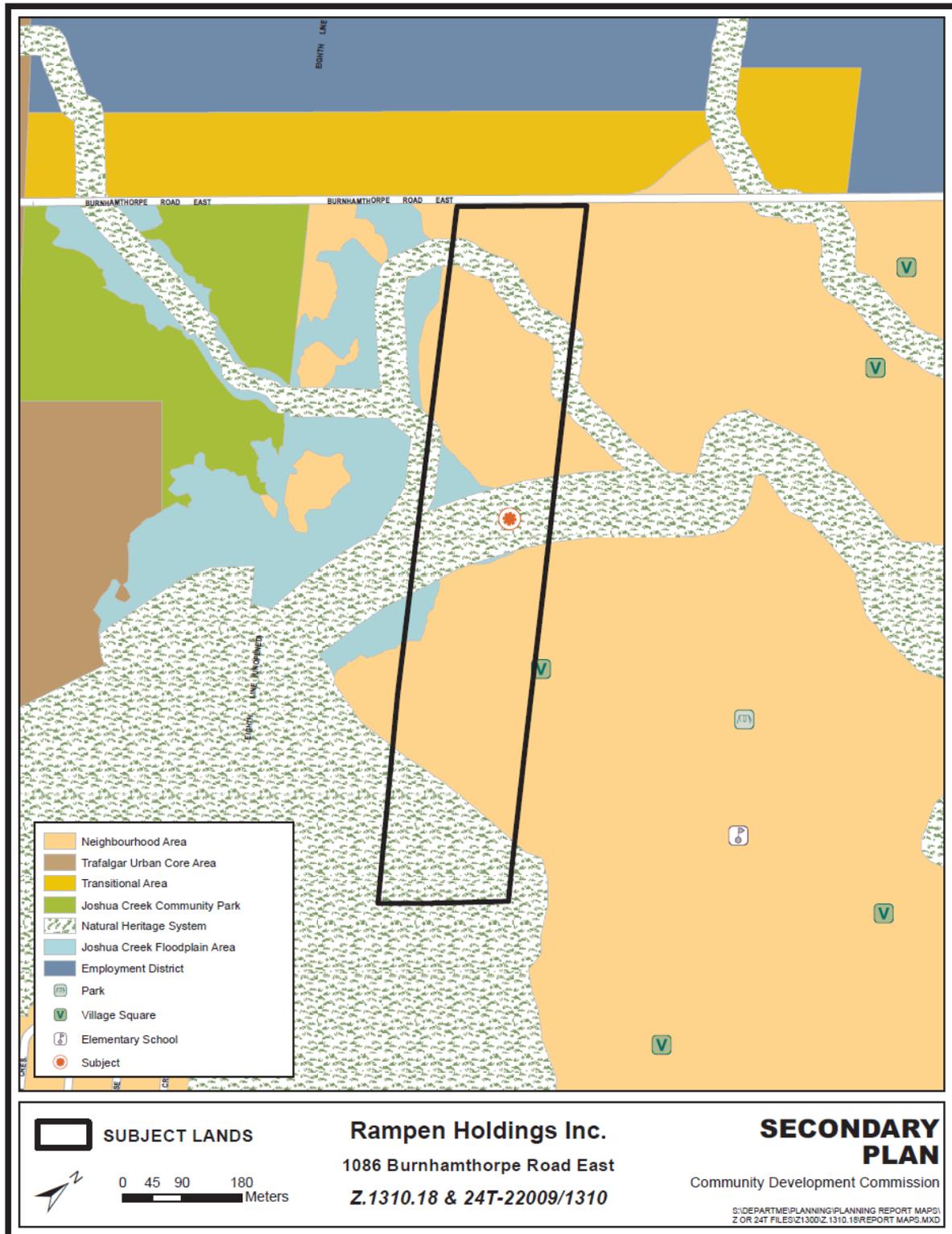


Figure 4b: North Oakville East Secondary Plan Excerpt

Section 7.2 Community Vision states *“The community will be well served by an interconnected transit network which will provide residents and employees opportunities for an attractive alternative travel mode within North Oakville, and connections to the rest of the Town, as well as transit facilities which will serve the Region and the Greater Golden Horseshoe”*.

Section 7.2.3.5 – Transportation

“a) To create a system of roads and transportation corridors which promotes the safe, efficient circulation of traffic including transit and non-vehicular traffic.

c) To establish a transportation system that complements and supports the existing and future urban structure and land use pattern.

d) To promote transit opportunities through community design, including a “transit first” policy to ensure that development including the phasing of development proceeds in a manner which will be supportive of early provision of transit services.”

The road connection system is discussed later in this report.

Master Plan – Appendix 7.3

The North Oakville Master Plan is intended to assist in providing guidance and coordination of local roads and adjacent land uses for the North Oakville Planning Area. Development applications are reviewed to ensure general coordination and consistency with the intent of the Master Plan. Minor modifications are permitted provided the general intent and direction of the Master Plan is maintained (Section 7.5.2).

Additional land use designations are further identified as *Natural Heritage System Area, Joshua Creek Floodplain Area, General Urban Area, Sub Urban Area and Village Square* as shown in the North Oakville Master Plan (Figure 5).

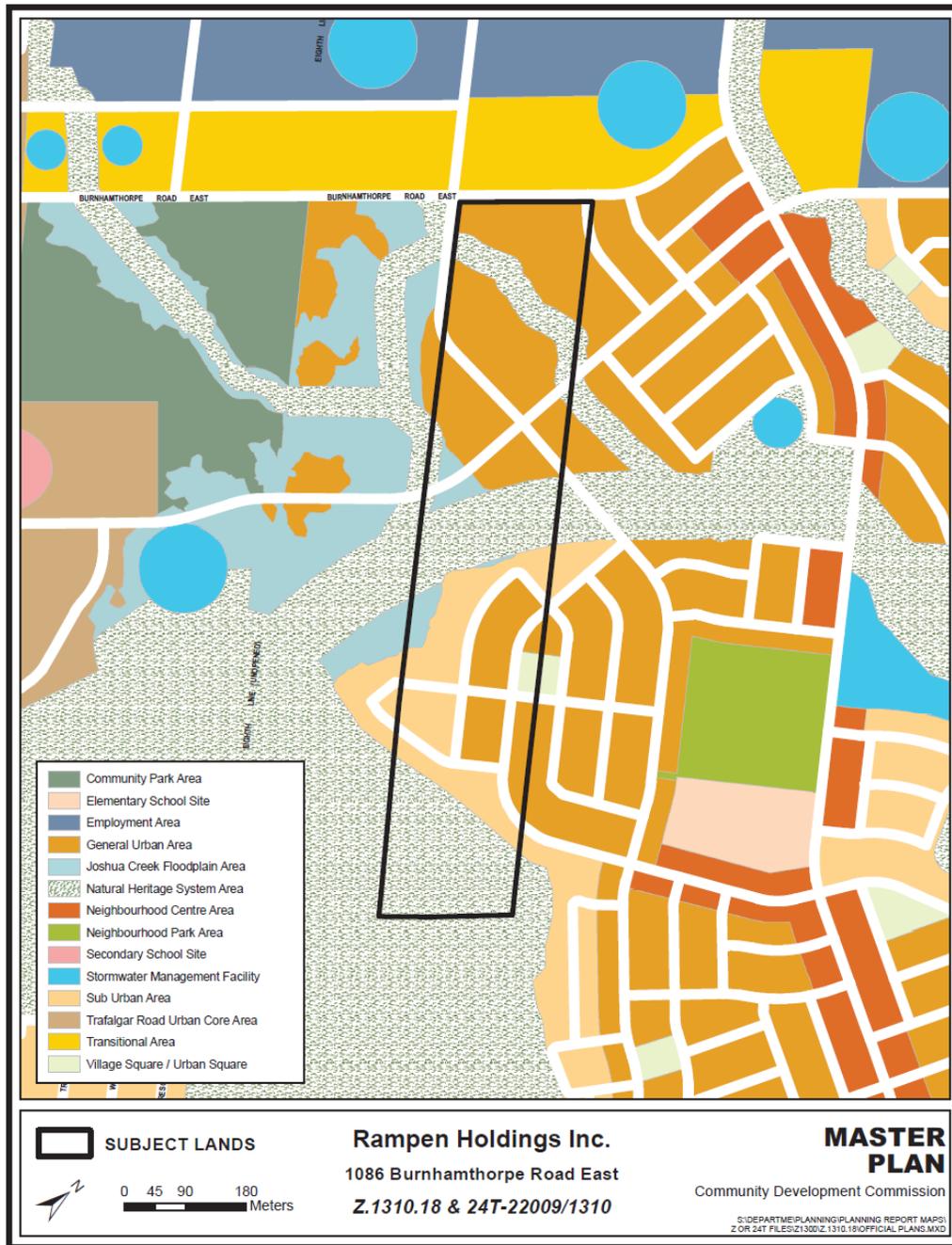


Figure 5: North Oakville Master Plan Excerpt

Optional Linkage Preserve Area – Section 7.3.5

Figure NOE 3 – *Natural Heritage Component of Natural Heritage and Open Space System* identifies the north-west corner of the draft plan of subdivision as containing an *Optional Linkage Preserve Area*. The *Optional Linkage Preserve Area* will be discussed later within this report.

Zoning By-law (By-law 2009-189)

The North Oakville Zoning By-law sets the Zoning standards by establishing general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law (By-law 2009-189) on November 23, 2009. The subject property is zoned Future Development Special Provision 16 (FD 16) (Figure 6), which allows uses that legally existed when the parent by-law was enacted, inclusive of the Joshua Creek Cultural Heritage Art Centre.

The purpose of the FD zone is to allow for the future Zoning of the land to be considered in the context of a new application and the policies within the NOESP. The submitted Zoning By-law Amendment application (Z.1310.18) is required to implement the proposed development, in conjunction with the proposed Draft Plan of Subdivision.

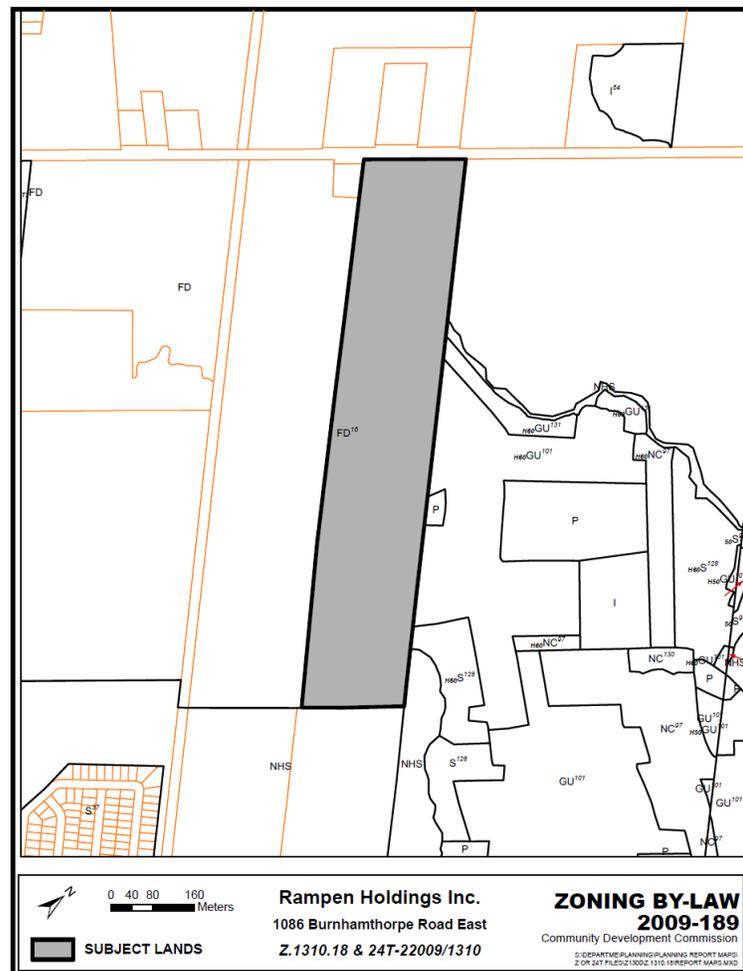


Figure 6: Zoning By-law Map Excerpt

Proposed Zoning

A draft Zoning By-law has been prepared to rezone a portion of the subject lands from *Future Development Special Provision 16 (FD 16)* to *Future Development (FD)*, site specific *General Urban (GU sp:101, GU sp:131)*, site specific *Sub-Urban (S sp:128)*, *Park (P)*, and *Natural Heritage System (NHS)* zones. The effect of the proposed Zoning would facilitate the development of the lands for 188 residential units, a partial village square, and the conveyance of the natural heritage system, in accordance with NOESP designations and policies.

The following is an overview of the proposed By-law 2024-090:

- establishes site specific regulations for the Sub-Urban (S sp:128) zone, specifically related to minimum lot depth, window width, porch depth and rear yard setbacks for lots abutting the NHS.
- establishes site specific regulations for the Sub-Urban (GU sp:101) zone, specifically related to minimum lot depth, window width, porch depth and rear yard setbacks for lots abutting the NHS.
- establishes site specific regulations for the Sub-Urban (GU sp:131) zone, specifically related to minimum lot depth, window width, porch depth and rear yard setbacks for lots abutting the NHS.
- a completion of the Park (P) zone.
- a continuation of the Natural Heritage System (NHS) zone.
- a retention of the Future Development (FD) zone for further review and coordination with the abutting lands to the west.
- maintains the Future Development Special Provision 16 zone (FD sp:16) on the Joshua Creek Cultural Heritage Art Centre portion of the lands.

At the request of the Region of Halton, a Holding “H” Provision has been included within By-law 2024-090 that must be lifted prior to the issuance of building permits. Prior to the lifting of the H, the Owner shall have addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton, which shall provide written confirmation that these matters have been addressed:

- a) That the external local watermains and sanitary sewer extensions that are proposed on the lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.
- b) That the Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.

Details on the Village Square including the facilities to be provided

As seen in Figure 7, the applicant has submitted a Park Facility Fit Plan for the village square (0.33 ha), of which half is draft approved on the abutting Mattamy Joshua Creek Phase 3 lands to the east. Once the Blocks have been conveyed to the Town, Parks and Open Space Staff will complete a detailed design of the park through a tendering process with the developers. Construction will be awarded to the lowest compliant bidder and the amenities to be installed will be vetted and approved by Town Staff. Financial responsibilities will be outlined in the Subdivision Agreement and be coordinated with the timing of Capital Budget funding.



Figure 7: Conceptual Park Facility Fit Plan

Optional Natural Heritage System linkage

Figure NOE 3 – *Natural Heritage Component of Natural Heritage and Open Space System* (Figure 8), identifies a portion of the Draft Plan of Subdivision as containing an *Optional Linkage Preserve Area*.

Section 7.3.5 a) ii) states that “*Linkage and Optional Linkage Preserve Areas include areas which are designed to link the Core Preserve Areas together to maintain and enhance their environmental sustainability. They follow natural features whenever possible and are intended to be of sufficient size and character, including buffers, to ensure the functionality and sustainability of the Natural Heritage component of the System*”. The Optional Linkage Preserve Areas were established based on the potential to relocate an adjacent medium constraint stream into the lands designated as Optional Linkage Preserve Area.

Section 7.4.7.1 b) ii) states that “...*if the adjacent stream is not relocated into the lands designated “Optional Linkage Preserve Area”, and remains in place in a manner which satisfies the requirements to serve a linkage function as set out in Subsection 7.4.7.1 d), then the lands in the Optional Linkage Preserve Area designation, without the need for amendment to this Plan, may be developed in accordance with the abutting land use designation.*”

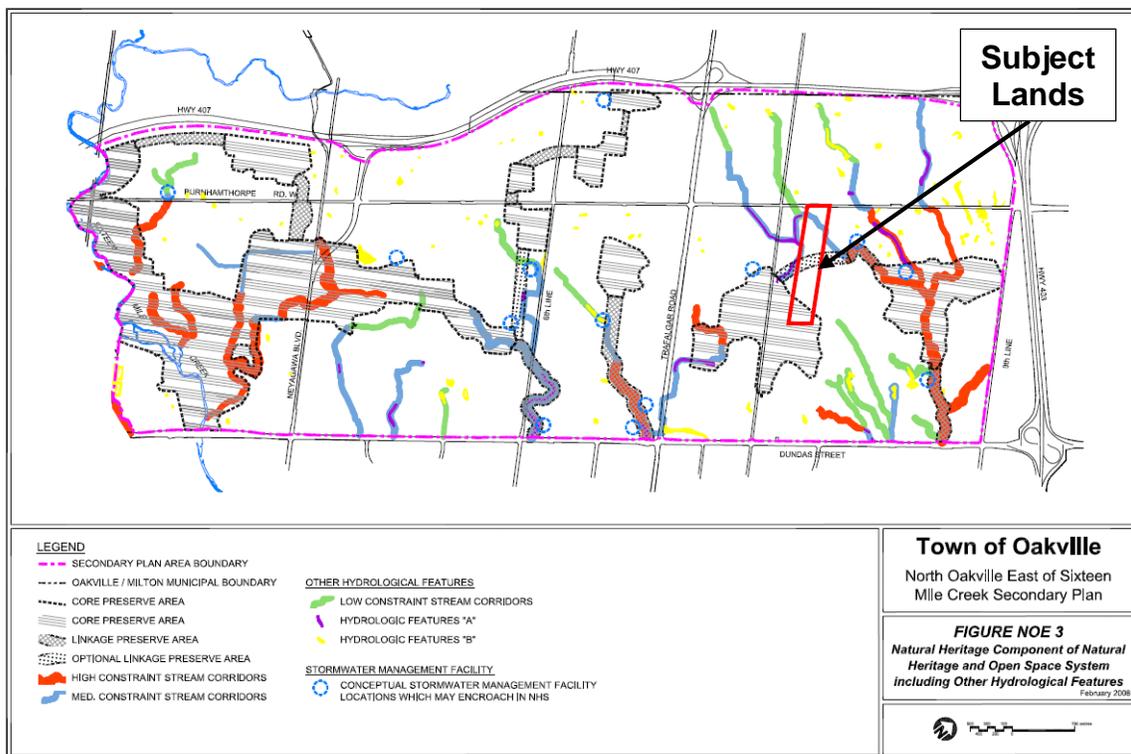


Figure 8: Figure NOE 3

Through the review of the EIR/FSS, the medium constraint stream will not be relocated into the optional linkage preserve area and will remain in place. As such, the lands identified on NOE 3 as an Optional Linkage Preserve Area are proposed for development consistent with the abutting land use designation.

Details about the overall traffic plan, timing, use of a temporary turning circle and future connection to Burnhamthorpe Road East

Although the proposed Draft Plan of Subdivision contains nine streets (A – I), Streets A and C being Avenue/Transit Corridors (see Figure 9 below) at 22 m wide, will provide the primary north-south (Street A) and east-west (Street C) routes through the subdivision for the Town. Both streets are extensions of streets from the Mattamy Joshua Creek Phase 3 Draft Approved Plan of Subdivision (24T-20007/1307), in accordance with the NOESP Master Plan, Figure NOE 2 and Figure NOE 4.

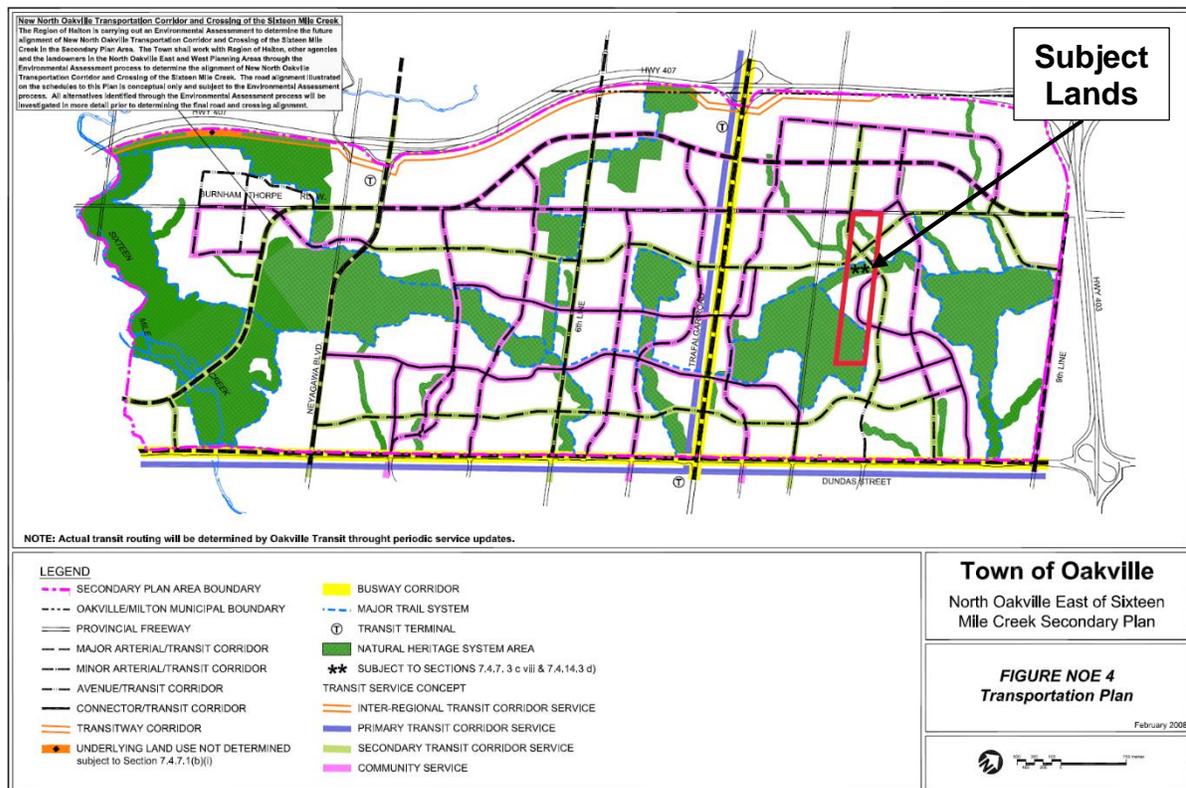


Figure 9: Figure NOE 4

The temporary turning circle (Block 152) shown on the proposed Draft Plan of Subdivision will remain in place with a 0.3 m reserve (Block 158) until such time as the abutting Capobianco lands to the west proceed with development applications. Although Street A is intended to extend northerly to Burnhamthorpe Road East, the

property located at 1054 Burnhamthorpe Road East will need to form part of said development applications in order for the road connection to occur. Staff have advised the representatives for the Capobianco lands to investigate acquiring the property in order to consolidate and plan for it as part of their development applications, but were advised the timing for same is unknown.

Therefore, the temporary turning circle will remain on the Rampen and/or Capobianco lands until such time as Street A can be fully extended to Burnhamthorpe Road East. The four lots proposed within Block 147 will not be eligible for creation or building permits until such time as the road connection is completed.

Details about access/servicing to the subject lands through abutting lands

Through the 2020/2023 Regional Allocation Program and a Holding “H” Provision being included in the draft By-law 2024-090, Building Permits will not be eligible for issuance until the Region’s allocation requirements have been met. Furthermore, there is an additional Holding “H” Provision related to the availability of external local watermains, sanitary sewer extensions and roads for legal frontage on a public road through the Mattamy Joshua Creek Phase 3 Draft Approved Plan of Subdivision (24T-20007/1307) streets, as seen in Figure 10. The timing for the streets to be serviced and paved is approximately summer 2025. It should be noted that there are multiple 0.3 m reserves that shall be dedicated to the Town by Mattamy, in order to control access to the Rampen lands. The Town has included Conditions of Draft Plan Approval for the registration of the Mattamy lands and a Holding Provision as part of By-law 2024-090.

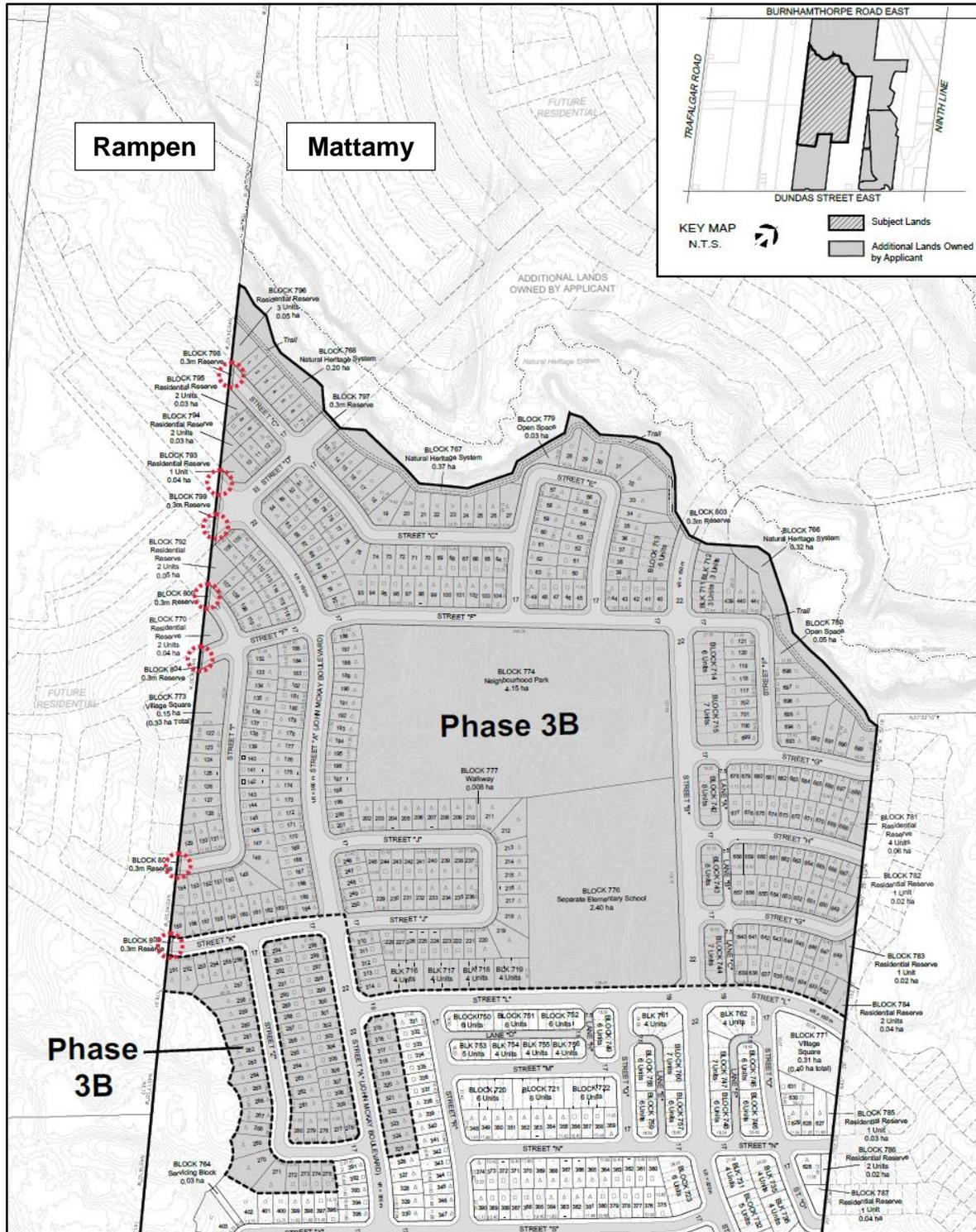


Figure 10: Mattamy (24T-20007/1307) – Street Connections

Alignment with the Climate Emergency

The applicant has advised that the future developer of the lands (Coscorp Inc.) has been building homes for more than two decades throughout the Greater-Toronto-Area. They have leading-edge designs and are committed to creating an inviting neighbourhood achieved through careful planning, strict architectural control and innovative design.

All new homes may include items such as low e-glass and argon filled windows, low-flow faucets, water-efficient toilets, high-efficiency furnaces, heat recovery ventilators, tankless water heaters, energy-efficient appliances, rough-ins for electric car charge stations and solar power. In addition, customers may choose to upgrade to Energy Star certified and/or lithium battery energy storage systems.

Consistency with the PPS and Conformity with the Growth Plan, Regional Official Plan and North Oakville East Secondary Plan

The proposed development is an extension of the Mattamy Joshua Creek Phase 3 Draft Approved Plan of Subdivision to the east and the NOESP contemplates the proposed uses. It is staff's opinion that the proposal is consistent with the Provincial Policy Statement 2020 and conforms to the Growth Plan, the Region of Halton Official Plan and the NOESP.

Urban Design – built form, lot sizes, transitions and compatibility, interface with public realms and vehicular access

The proposed development is consistent with the surrounding approved developments, most notably the Mattamy Joshua Creek Phase 3 Draft Approved Plan of Subdivision to the east. The applicant has submitted an Urban Design Brief that addresses proposals compliance with the Livable by Design Manual. Conditions of Draft Plan Approval are included that requires the applicant to submit elevation drawings (all façades), typical floor plans (all levels) and typical lotting plans for all models on lots not subject to Site Plan Approval for review by the Planning Services Urban Design staff before marketing or selling on any units. The applicant must also select a control architect who shall ensure all development exempt from Site Plan Approval process, proceeds per the Town-approved Urban Design Brief.

Vehicular access to this subdivision will be from the abutting Mattamy Joshua Creek Phase 3 Draft Approved Plan of Subdivision to the east.

On-Street Parking to maximize visitor parking

The applicant provided an on-street parking plan that identifies the possible locations for on-street parking. The analysis proposes 70 on-street parking spaces

within the limits of the subdivision. The on-street parking spaces are in addition to parking on driveways and within garages.

The applicant has not requested any modifications to the minimum parking stall regulations. The standard parking regulations require a minimum 3 metre width for a parking space in a private garage and allows one step to encroach into the length of a parking space.

Joshua Creek Heritage Art Centre

As seen in Figure 1, the Joshua Creek Heritage Art Centre is located external to the limit of the subdivision and Part 2 on 20R-21170 is intended to be a buffer future between the proposed development and the cultural heritage landscape. Heritage Planning staff have completed their review of the proposed four lots that would ultimately replace the temporary turning circle. Staff has concluded that due to the topography of the land and the distance between the proposed future lots and the cultural heritage landscape, the impact to the cultural heritage value and heritage attributes of the designated cultural heritage landscape of the Joshua Creek Heritage Art Centre will be minimal.

Staff would note that any future development proposed in the area known as Part 2 on 20R-21170, which was intended to provide a buffer between the designated cultural heritage landscape of the Joshua Creek Heritage Art Centre and future development, would require review at that time to ensure that there are no significant impacts to the cultural heritage value and heritage attributes of the designated cultural heritage landscape of the Joshua Creek Heritage Art Centre.

North Oakville East Developers Group

Parkland dedication requirements shall be in accordance with Section 7.7.4.5 of the North Oakville East Secondary Plan and the North Oakville East Secondary Plan Master Parkland Agreement.

In accordance with Section 7.9.4 of the North Oakville Secondary Plan, documentation was submitted with the application from the Trustee of the North Oakville East Developers Group Cost Sharing Agreement and North Oakville East Master Parkland Agreement confirming that Rampen Holdings Inc. is a party in good standing under both agreements.

Environmental Implementation Report and Function Servicing Study

The Joshua's Creek Tributaries EIR/FSS covered approximately 187 ha of land which consists of the Bressa Development Phase 1 and Phase 2, Dunoak, Redoak/Capoak, Argo (Joshua Creek), and Mattamy Joshua Creek as well as the

15.46 ha of lands associated with this Draft Plan of Subdivision. As part of this application the applicant provided the *Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS*. The purpose of the addendum was to support the current Draft Plan of Subdivision and specifically to review the crossings of the NHS, NHS delineation, streams, species at risk, grading, drainage, stormwater management, storm ponds, trails etc. *Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS* was reviewed by the Town, Conservation Halton and the Region, and deemed acceptable in principle as related to the subject property and is consistent with the North Oakville Creeks Subwatershed Study. Conditions of Draft Approval for the subdivision have been included in Appendix A to ensure that various matters, including the items listed above, are satisfactorily addressed through detailed design.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting (“PIM”) on September 12, 2022, and was attended only by the applicant and Planning Staff.

A Statutory Public Meeting was held on June 26, 2023, and notice was mailed to all properties described in the staff report. In addition, a sign was placed at the road entrances leading into the subdivision. Resident Associations were notified along with property owners in accordance with the *Planning Act* regulations and Town practices. No concerns were raised by the public at the Public Meeting and no comments have been received since the Public Meeting.

Notice of the July 8, 2024, Planning and Development Council meeting has been provided to those who participated in the process or requested to be notified.

(B) FINANCIAL

Development Charges apply to this development. Parkland dedication is applicable and may be satisfied following confirmation that the developer is in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for comment.

Draft Plan Conditions have been provided in Appendix “A” to this report. Additional review will be required prior to registration of the subdivision.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

The proposed development generally complies with the Town’s sustainability objectives of the Livable Oakville Plan. The proposal was reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019, to provide opportunities to reduce the development footprint of the proposal.

CONCLUSION:

Staff recommends approval of the Draft Plan of Subdivision and Zoning By-law Amendment, which will have the effect of developing 188 residential units, a village square, public street network, and the conveyance of natural heritage system lands. The proposed subdivision is appropriate and compatible with the adjacent land uses and in keeping with the intent of the land use policies of the North Oakville East Secondary Plan.

Staff is satisfied that the proposed development is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2020) and the Halton Region Official Plan, has regard for matters of Provincial interest, and represents good planning. Further, the applications are consistent with the Town’s approved Urban Structure and the principles and overall policy direction of the North Oakville East Secondary Plan. Staff recommends approval of the Draft Plan of Subdivision, subject to the Conditions in Appendix “A” and that By-law 2024-090 be passed as the following requirements have been satisfied:

- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved. Issues raised by Conservation Halton and the Region of Halton have been addressed through Conditions of Approval.
- The development applications implement the vision, development objectives, community design strategy, and land use strategy of the North Oakville East Secondary Plan.
- The proposed Draft Plan of Subdivision is necessary to facilitate future land division into individual residential lots and is appropriate for the orderly development of the lands.
- The proposed Draft Plan of Subdivision meets the criteria established in Section 51(24) of the *Planning Act*.
- Comments from Council have been appropriately addressed.

By-law 2024-090 is attached as Appendix “C”.

APPENDICES:

Appendix “A”: Conditions of Draft Plan Approval

Appendix “B”: Applicable Policy Excerpts

Appendix “C”: By-law 2024-090

Prepared by:

Brandon Hassan, MCIP, RPP

Senior Planner, Current Planning

East District

Recommended by:

Leigh Musson, MCIP, RPP

Manager, Current Planning

East District

Submitted by:

Gabe Charles, MCIP, RPP

Director, Planning and Development

**APPENDIX A –
CONDITIONS OF DRAFT PLAN APPROVAL**

**Town File No.: 24T-22009/1310
Draft Plan Dated
June 4, 2024**

**TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL AND
FOR THE REGISTRATION OF THE DRAFT PLAN OF SUBDIVISION BY
Rampen Holdings Inc.**

This approval applies to the Draft Plan of Subdivision (24T-22009/1310) prepared by Robert Russell Planning Consultants dated June 4, 2024, illustrating 158 blocks and 132 lots. The Conditions applying to the approval of the final plan for registration are as follows:

	CONDITIONS TO BE MET PRIOR TO PRE-GRADING OR PRE-SERVICING	<i>CLEARANCE AGENCY</i>
1.	That the Owner shall carry out a heritage resource assessment (archaeological survey) of the subject property and, if recommended, mitigate/salvage/excavate any significant resources to the satisfaction of the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport. No grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport, being submitted to the Town of Oakville.	MTCS
2.	That the Owner shall have an Environmental Audit undertaken by a qualified professional engineer to ensure that the land is suitable for the proposed use. If in the opinion of the professional engineer, the Environmental Audit indicates the land may not be suitable for the proposed uses, the engineer must so advise the Town of Oakville. The Owner undertakes to do further investigative studies and to do all work required to make the lands suitable for the proposed use and any land to be conveyed to the Town including roads, stormwater management facilities, parks and the natural heritage system.	OAK (TE)
3.	The Owner agrees to conduct a survey of the property to identify all existing wells related to the former use of the lands. The owner further agrees to decommission any existing wells in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
4.	The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The owner further agrees to decommission any existing private septic systems in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
5.	That the Owner is required to submit a revised Functional Servicing Study outlining in detail the proposed servicing of this property that includes water modelling and that addresses secondary watermain connections, flows, pressures and dead-end watermains to Halton Region's Development Project Manager, Regional Planning and Public Works Department for review and approval.	RMH (LPS)
6.	That the Owner is required to submit a revised Functional Servicing Study that includes water modelling for both the interim and ultimate water pressure conditions for the Region's zone realignment that demonstrates the impact these changes will have on the development.	RMH (LPS)
7.	That the Owner shall not install any municipal services on the site until the Owner has entered into a Pre-servicing Agreement or Subdivision Agreement with the Town. Pre-servicing may occur in accordance with the Town's pre-servicing policy.	OAK (TE)
8.	The Owner and/or their engineering consultants, shall arrange and hold a pre-construction meeting with the Transportation and Engineering Department and the contractor to review and discuss mitigation measures for all construction related impacts, including mud tracking, dust suppression, truck routes and	OAK (TE, PS, EP)

	contractor/trades parking, material storage, stockpile location, working hours, noise mitigation, etc., prior to the commencement of topsoil stripping and earthworks. Prior to the Earthworks Pre-construction Meeting, a Site Alteration Permit from the Town must be secured by the Owner and perimeter erosion and sediment control measures must be installed. A second pre-construction meeting is also required prior to the commencement of any servicing works. Prior to the Servicing Pre-construction Meeting, a complete set of approved Engineering Plans is required, including the Traffic Management Plan and Composite Utility Plan.	
9.	That the Owner ensures that there are no works undertaken during ecologically sensitive timing windows unless approved by the respective provincial and/or federal agency.	OAK (EP)
10.	That the Owner prepares and implements an Environmental Impact Report as per the requirements of Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS , to the satisfaction of Conservation Halton and Town of Oakville.	OAK (EP) CH
11.	That the Owner submits grading plans for all lots and blocks that back onto the natural heritage system (including CH regulated area) and Block 148, to the satisfaction of Conservation Halton and the Town of Oakville.	OAK (EP, TE) CH
12.	That the Owner prepares and implements a report outlining erosion and siltation controls measures required prior to and during the construction of the subdivision to the satisfaction of Conservation Halton and the Town of Oakville. A separate sediment and erosion control plan will be required for the following three phases of construction: a) earthworks b) servicing c) home construction.	OAK (EP, TE) CH
13.	That the Owner erects a suitable temporary barrier to work fence prior to and during construction or regrading along the rear of blocks adjacent to the natural heritage system (including CH regulated area) and Block 148.	OAK (EP) CH
14.	That the Owner submits the required monitoring plans and completes baseline monitoring in accordance with the approved EIR/FSS to the satisfaction of Conservation Halton and the Town of Oakville prior to any site alteration.	OAK (EP) CH
15.	That the Owner obtains a Permit from Conservation Halton, in accordance with the Conservation Authorities Act, Ontario Regulation 41/24, and associated policies and requirements, for any development activity within the regulated area associated with pre-grading or pre-servicing.	CH
CONDITIONS TO BE MET PRIOR TO MARKETING AND SALES		
16.	That the Owner finalize and submit for approval a revised Urban Design Brief .	OAK (PS)
17.	The Owner shall submit elevation drawings (all facades), typical floor plans (all levels) including garage floor plan showing vehicle space and storage areas and typical lotting plans for all models on lots not subject to Site Plan Approval to Planning Services Urban Design staff for review and approval. Upon acceptance, these drawings shall be added as an Appendix to the Urban Design Brief. The Owner agrees that compliance with this condition is required prior to the Owner marketing or selling any such units.	OAK (PS)
18.	That the Owner shall select a control architect who shall ensure all development which is exempt from Site Plan Approval process, proceeds in accordance with the Town-approved Urban Design Brief. The Owner shall submit a letter to the Town from the selected control architect acknowledging the following: <ul style="list-style-type: none"> i. a control architect has been retained for this subdivision and does not have any perceived or real pecuniary interests or conflicts with performing the required duties; ii. the control architect acknowledges the final Urban Design Brief prepared for this subdivision and agrees to implement the same; iii. the control architect is responsible for ensuring the Town-approved models, as appended to the Urban Design Brief, will be sited in accordance with the Urban Design Brief direction; 	OAK (PS)

	<p>iv. the control architect will ensure that any sold units meet the design direction and criteria of the Town-approved Urban Design Brief, prior to submitting for building permit review; and,</p> <p>v. the control architect will discuss with Town staff any identified issues</p> <p>vi. the control architect will submit stamped/signed drawings with the building permit application in accordance with the foregoing.</p>	
<p>CONDITIONS TO BE MET PRIOR TO INITIATING SALES PROGRAMME</p> <p>NEIGHBOURHOOD INFORMATION MAPPING</p>		
<p>19.</p>	<p>The developer shall prepare a preliminary neighbourhood information map for the subdivision, to the satisfaction of the Town’s Director of Planning, Design and Development. The Map is to be posted in a prominent location in each sales office from where homes in the subdivision are being sold <u>and included within the individual purchase and sale agreements</u>. The Map shall include the location and type of parks, open space / valleyland and walkways, a general description of their proposed facilities as well as the following information:</p> <ul style="list-style-type: none"> a) All approved street names, b) The proposed land uses within the subdivision based on the draft approved plan, c) The immediately surrounding existing and proposed land uses and potential building heights, d) For any DUC/TUC or mixed use blocks include the min/max heights permitted within the Zoning By-law including any development file numbers if applications for these blocks are under review, e) Where applicable, a statement indicating that place of worship and school sites may be used for residential uses if they are not acquired for their original purpose within the time period specified in the subdivision agreement, f) Those lots or blocks that have existing and potential environmental noise constraints based on the noise feasibility study. Include all relevant warning clauses on the map, g) The approximate locations of noise attenuation walls and berms, h) The approximate locations and types of other fencing within the subdivision, i) Where parks and open space, stormwater management facilities and walkway / vista blocks / servicing blocks are located, j) The types and locations of village squares, parks, valley lands and other open space (i.e., passive or active) and a general description of their proposed facilities and anticipated level of maintenance, k) The locations of all anticipated Canada Post Community Mailboxes, l) The anticipated Transit routes through the subdivision, m) Garage Floor Plan for each unit type offered showing typical vehicle type accommodation, waste and yard care storage, and bicycle storage. n) The following standard notes: <ul style="list-style-type: none"> 1. “This map, and the following list, is intended to provide potential home buyers with general information about the neighbourhood and the surrounding area. If you have specific questions, you are encouraged to call the Town’s Planning Department during normal business hours which are 8:30 am to 4:30 pm, Monday to 	<p>OAK (PS)</p>

	<p>Friday.”</p> <ol style="list-style-type: none"> 2. “Please Note: this map is based on information available on _____ (month/year) and may be revised without notice to purchasers.” 3. “The map shows that there will be several types of proposed and potential housing and building heights in the subdivision.” 4. “Sites shown on the map for future schools, townhouses, parks, shopping etc. could have driveways anywhere along their street frontage.” 5. “Some streets in this subdivision will be extended in the future and temporary access roads may be closed.” 6. “There may be catch basins or utilities easements located on some lots in this subdivision.” 7. “Some lots and blocks will be affected by noise from adjacent roads, and warnings will apply to purchasers.” 8. “Some dwelling units are in proximity to commercial, institutional and/or school uses from which activities may at times be audible. The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise.” 9. “Village Square Block 156 will be developed as an active park and may contain play equipment, walkways, lighting, landscaping and passive use free-play areas. Residents close to Block 156 may be disturbed by noise and lighting from the park. For detailed information pertaining to park or open space issues, please call the Town’s Parks & Open Space Department 905.845.6601 ” 10. “Natural Heritage System, valleys, woodlots and stormwater management ponds in this subdivision will be left in a natural condition with minimal maintenance and no grass cutting, only periodic removal of debris. Residents adjacent to these blocks are requested to limit the use of pesticides and fertilizers to reduce adverse effects on the NHS, and to not remove or replace vegetation in the NHS or stormwater management ponds.” 11. “Community mailboxes will be directly beside some lots.” 12. “Purchasers are advised that the final location of walkways in Blocks 149 and 150 may change without notice.” 13. “School sites in this subdivision may eventually be converted to residential uses.” 14. “Most streets contain on-street parking, and may be available for overnight parking, subject to parking permits.” 15. “The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings.” 16. “There may be Transit bus routes on some streets within this subdivision with stops beside some homes. Oakville Transit reserves the right to introduce transit services and facilities such as bus stops, shelters, pads and associated amenities on any municipal rights-of-way to provide effective service coverage.” 17. “Boulevard trees will be planted according to Town standards and a tree will not necessarily be located in front of every home. Purchasers are further advised that home builders are not 	
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	<p>permitted to charge a purchaser separately for the cost of trees, sodding, fencing and paving of the driveway apron. The Town will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance.”</p> <p>18. “The design of features on public lands may change. Builders' sales brochures may depict these features, however, the Town has no control over builders' sales brochures.”</p> <p>19. “Gates are not permitted in fences when lots abut the Natural Heritage System, a trail, valleyland, active park, woodlot or stormwater management pond.”</p> <p>20. “The Town's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot.”</p> <p>21. “Not all vehicle types can be accommodated on the proposed lots whether on the driveway or within a garage area. Check with your builder regarding the particular situation for the model and lot you intend to purchase.”</p> <p>22. “Driveway entrance widenings or modifications on private or public lands beyond what was approved as part of the subdivision design will not be permitted. Property Owners must take note of the available parking space on their approved driveway and within the garage and purchase homes with knowledge that additional space for more personal / family vehicles may be limited or unavailable.”</p> <p>23. “This community is subject to Architectural Control. Models available for sale have to be pre-approved by the Control Architect and certain models may not be available for some of the lots. Check with your builder regarding the particular situation for the model and lot you intend to purchase.”</p> <p>24. “Halton Region is responsible for household garbage, recycling and green bin collection. For further information, please call 311 or visit Halton.ca”</p> <p>25. “For further general information on proposed and existing land use, please call the Town’s Planning Department 905.845.6601.”</p> <p>26. “For detailed grading and berming information, please call the Town’s Transportation and Engineering Department 905.845.6601”</p> <p>27. “Purchasers and/or tenants of lots backing onto Block 150 are advised that a portion of their lot may contain areas regulated by Conservation Halton (CH) under the Conservation Authorities Act (CA Act) and Ontario Regulation 41/24, as proclaimed on April 1, 2024, and as may be amended from time to time. Permission is required from CH prior to undertaking development activities within CH’s regulated area. For further information please contact CH at chplanning@hrca.on.ca or 905.336.1158.”</p> <p>The developer shall ensure that each builder selling homes within the subdivision:</p> <p>a) provides prospective purchasers with a “Notice to New Home Purchasers” from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.</p>	
<p>CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL / REGISTRATION</p>		

20.	That the Owner shall provide confirmation to the satisfaction of the Town's Finance Department that all outstanding property taxes and outstanding debts have been paid prior to plan registration.	OAK (F)
21.	That the Owner shall provide the Town with a letter from the Trustee confirming that the Owner is in compliance with the Cost Sharing Agreement and s.4.7 of the North Oakville East Master Parkland Agreement prior to the release for registration of each phase of the plan of subdivision.	OAK (PS)
22.	That the Owner enter into a standard form subdivision agreement to the satisfaction of the Town to address all matters related to the financial and construction obligations and build out of the subdivision, including but not limited to, development charge reimbursements, works to be completed on behalf of the Town, subdivision assumption and maintenance and monitoring of stormwater management facilities, Transcanada Pipelines Limited (TCPL) requirements, homeowner warning clauses, etc.	OAK (PS, TE)
23.	That the Owner shall provide a certificate signed by the surveyor and the Owner stating that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted by the Town.	OAK (PS, TE)
24.	That the owner design, construct, and have in operation all stormwater management facilities , or alternative measures, in accordance with the approved Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS to the satisfaction of the Transportation and Engineering Department. The Owner is responsible for planting all required vegetation within 12 months of draft plan registration.	OAK (TE) CH
25.	That the Owner agrees that a temporary turnaround located at the north end of Street 'A' is required until such time that these streets are continued when the adjacent lands to the west and south are developed. This will require Blocks 147, 151 and 152 to be frozen from development unless other suitable arrangements are made with the Director of Transportation and Engineering.	OAK (TE)
26.	That the Owner shall dedicate all lands to be conveyed to the Town or other authority free of charge and with clear title (free and clear of encumbrances) and any necessary easements. A Certificate of Title shall be provided, in a form satisfactory to the Town or other authority.	OAK (PS, TE)
27.	That the Owner revises/updates the Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS to reflect all comments from the Town of Oakville, Conservation Halton and Halton Region and agree to implement all final recommendations contained within the approved Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS including any addendums to the satisfaction of the Town of Oakville, Regional Municipality of Halton and Conservation Halton.	OAK (PS, EP, TE) CH RMH (LPS)
28.	That the Owner prepares and submits a Functional Servicing Report and Stormwater Management Plan in accordance with the approved Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS to the satisfaction of Conservation Halton and the Town of Oakville.	OAK (PS, EP, TE) CH
29.	That the owner provide the required analysis to demonstrate that the hydraulic grade line has been appropriately considered in the design of any units with reverse slope driveways, to the satisfaction of the Town.	OAK (TE)
30.	That the owner complete the following to the satisfaction of the town of Oakville: <ul style="list-style-type: none"> i. At detailed design, provide grading, erosion and sediment control plans and restoration plans to ensure no impact to the hydrologic feature A during the proposed floodplain alteration works. ii. Works in the floodplain are to be coordinated with adjacent landowner(s) to ensure no impacts to property and the natural heritage system. 	OAK (EP)

	<p>iii. Update figure 6.2A in the EIR/FSS to reflect the full extent of the property.</p>	
31.	<p>That the Owner shall provide a construction phasing and sequencing plan to the satisfaction of the Town (and Region where applicable) for the purpose of ensuring an appropriate sequence of development from initial construction to assumption and which reflects all applicable studies including the Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS and Transit Facilities Plan. The Phasing Plan should identify how transit service will operate within the plan, including provisions for safe pedestrian access to designated bus stop locations, such that:</p> <ul style="list-style-type: none"> • a contiguous transit service area will be maintained that does not result in lengthy transit routes or "leapfrogging" • interim and/or permanent transit streets are to be built first • the Owner is encouraged to construct housing on transit streets first, where practicable • roadways to be upgraded where required to accommodate transit vehicles during initial or interim phases • permanent or temporary pedestrian facilities to be constructed early and maintained during development for access and routing to bus stop locations. <p>Where mutually agreed upon between the Owner and the Town, a contribution may be made by the Owner to the Town's early implementation initiative relating to Transit service delivery.</p>	OAK (TE, EP, T)
32.	<p>That the owner shall submit a roadway plan for the subdivision showing following information to the satisfaction of the Town's Transportation and Engineering Department:</p> <ul style="list-style-type: none"> • Right-of-way widths and on-street parking spaces with respect to the location of the driveways. A summary table to provide total number of parking spaces provided in the subdivision. • Active Transportation Plan of the subdivision showing trails, sidewalks, and pedestrian crossing locations in accordance with Active Transportation Master Plan for Transportation Planning staff review and approval. • Transit Plan of the subdivision showing transit services and facilities such as bus stops, shelters, pads and associated amenities on municipal right-of-way for Oakville Transit staff review and approval. • A Traffic Management Plan showing temporary signage and pavement marking plan during construction period for vehicular traffic, pedestrian, parking, municipal services and emergency services for staff review and approval. 	OAK (TE)
33.	<p>That the owner prepare and agree to implement the following studies to the satisfaction of the Town (and the Regional Municipality of Halton where applicable):</p> <ul style="list-style-type: none"> • Traffic Impact Study including any required updates • Traffic and Parking Management Plan • Transit Facilities Plan • Street Signage and Pavement Marking Plan • Functional Design Study • Composite Utility Plan • Construction Management Plan • Noise Impact Study • Erosion, Sediment, Dust Mitigation Plan • Community Communication Plan 	OAK (TE, T)
34.	<p>That prior to registration the Owner is required to provide digital copies of the registered plan of subdivision in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville.</p>	OAK (TE) RMH (LPS)
35.	<p>That the Owner provides digital copies of the registered plan of subdivision including all approved natural hazard delineations (e.g., wetland boundaries, stable top of bank, flood plain, meander belt, shoreline flooding limits, dynamic</p>	CH

	<p>beaches and karst features) to Conservation Halton, prior to registration of the plan. Digital data should be delivered in one of the following formats:</p> <ol style="list-style-type: none"> ESRI geodatabasev10.x (or newer) feature classes ESRI shape file format. AutoCAD DWG or DXF Format, version 2019 or earlier <p>If the Project Consultant utilizes ESRI products to produce maps, the matching .mxd will be provided that corresponds to the map figure. Digital data will be provided in UTM NAD 83 Zone 17 NAD 83 datum. Data referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Vertical datums must be clearly identified in the survey documentation. Flood plain models used in the delineation of flood hazards must be provided to Conservation Halton and referenced to the above mapping standards. Questions can be directed to Conservation Halton GIS staff.</p>	
36.	That the Owner obtains a Permit from Conservation Halton, in accordance with the Conservation Authorities Act, Ontario Regulation 41/24, and associated policies and requirements, for any activities to change or interfere with an existing watercourse or wetland and/or development activities within the regulated area including, but not necessarily limited to, placement or excavation of fill, grading, stormwater outfalls, watercourse alterations or realignments, and watercourse crossings.	CH
37.	That the Owner designs, constructs, stabilizes and has in operation all creek realignments and alterations as well as any other alterations to natural hazards to the satisfaction of the Conservation Halton and the Town of Oakville.	CH
38.	That the Owner pays any outstanding review fees to Conservation Halton, if it is determined that a balance is outstanding. Conservation Halton reserves the right to adjust the fees owing based on the current plan review schedule, if time has lapsed since the initial application.	CH
39.	That the Owner submits the final clearance fee to Conservation Halton, prior to registration of the draft plan. If the development is phased, each phase will require a separate clearance fee.	CH
40.	That the Owner shall install information signs , not less than 2 metres by 3 metres, on all commercial, Natural Heritage and park blocks clearly advising of the future use and function of these blocks and the facilities / amenities to be constructed within the Natural Heritage System or park block prior to registration. The Owner agrees to install signs on all frontages of the Natural Heritage or park blocks at locations to be determined by the Town. The Owners is to maintain these signs in good, readable condition until such time as the land is developed.	OAK (POS, TE)
41.	That the Owner shall provide the Town, together with the final plan, a list of lot and block widths, depths and areas prepared by an Ontario Land Surveyor, to ensure all lot and blocks meet or exceed the minimum requirements of the approved Zoning By-law. The Owner shall agree to revise the draft plan as required in order to comply with all provisions of the approved Zoning By-law.	OAK (Z)
42.	That all public streets within the subdivision be named to the satisfaction of the Transportation and Engineering Department and in accordance with Street Names for Public Roads procedure.	OAK (TE)
43.	That prior to registration of the plan, the Owner's surveyor shall submit to the Town horizontal co-ordinates of all boundary monuments . These co-ordinates are to be based on 6 degree UTM Projection, NAD83 Datum. Exemptions and alternatives to this can only be granted by the Transportation and Engineering Department.	OAK (TE)
44.	That the Owner shall enter into a subdivision agreement and satisfy all requirements, financial and otherwise, of the Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands.	RMH (LPS)

45.	That the Owner shall prepare a detailed engineering submission to be submitted to the Region's Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement.	RMH (LPS)
46.	That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that: a) sufficient Water and Wastewater Plant capacity exists to accommodate this development; and, b) sufficient storage and pumping facilities and associated infrastructure relating to both water and wastewater are in place.	RMH (LPS)
47.	That temporary easements be provided for watermain looping that are internal and/or external to the site that are not located in an existing road right-of-way and that these easements be dedicated to the Region of Halton for the purpose of watermain protection; these easements shall be dedicated with clear title (free & clear of encumbrances) and a certificate of Title shall be provided, in a form satisfactory to the Director of Legal Services and Corporate Counsel.	RMH (LPS)
48.	The Owner shall submit to the Town Planning Services Department digital copies of the final draft plan of subdivision along with applicable Land Registry Office Appendix D form for sign off. Upon acceptance, the Town will forward these materials to the Region of Halton for final sign off.	RMH (LPS) OAK (PS)
49.	That prior to registration Owner shall submit to the Town of Oakville Planning Services Department digital copies of the final draft plan of subdivision along with applicable Land Registry Office (PX # or Appendix D) for sign off. Upon acceptance, the town will forward these materials to the Region of Halton for final sign off.	RMH (LPS)
50.	That the Owner agrees that should the development be phased , a copy of the phasing plan shall be submitted prior to final approval to the Halton District School Board and the Halton Catholic District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.	HDSB HCDSB
51.	That the Owner shall provide the Town with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes as required by Canada Post Corporation, prior to registration of the plan.	CP
52.	That the Owner shall provide Union Gas/Enbridge Gas the necessary easements and/or agreements required by Union Gas/Enbridge Gas for the provision of local gas services for this project, in a form satisfactory to Union Gas Limited.	UG/Enbridge
53.	The Owner shall confirm that sufficient wire-line communication / telecommunication infrastructure is currently available within the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the developer may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the communication / telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).	BC /Cogeco/ Rogers
54.	That the proposed Street "K" on the easterly abutting lands (24T-20007/1307) is constructed and registered, providing a connection to the proposed Street "E" on the subject lands (24T-22009/1310).	OAK (PS, Z)
55.	That the Owner agrees Lot 18 shall be removed and added to Block 141 for future development with the abutting lands to the west.	OAK (PS, Z)

CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL / REGISTRATION		
NEIGHBOURHOOD INFORMATION MAPPING		
56.	<p>The developer shall prepare a final neighbourhood information map, based on the final M-plan, and approved by the Town’s Director of Planning, Design and Development, to replace the preliminary neighbourhood information map in all affected sales offices. This map shall contain the following information:</p> <ul style="list-style-type: none"> a) all of the information required on the preliminary map, b) the locations of all sidewalks and walkways, c) the locations of all rear yard catch basins and utilities easements on private property where applicable, d) the proposed locations of all above ground utilities, where known, e) the proposed locations of all bus stops, f) The proposed locations of all temporary mailboxes. <p>The developer shall ensure that each builder selling homes within the subdivision:</p> <ul style="list-style-type: none"> a) provides prospective purchasers with a “Notice to New Home Purchasers” from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement. 	OAK (PS)
CONDITIONS TO BE INSERTED INTO SUBDIVISION AGREEMENTS (Town and/or Regional Municipality of Halton)		
57.	The Owner acknowledges that the Town may require revisions to the draft plan to ensure property alignment with existing or proposed lots, blocks, streets, and/or facilities on lands adjacent to this draft plan.	OAK (PS)
58.	That the Owner agrees to submit a revised Planning Statistics Spreadsheet to the satisfaction of Planning Services based upon the registration of M-Plans.	OAK (PS)
59.	That the Owner acknowledges that any eligible Development Charge reimbursements will be in accordance with the Town’s Development Charge By-law. The Owner agrees to submit progress reports for any Development Charge reimbursable items identified to be reimbursed through Development Charge credits, whether repaid through Development Charge credits or other means, in a form satisfactory to the Town’s Finance Department. The Owner further agrees to abide by the Town’s requirements for matters dealing with Development Charge credits.	OAK (F)
60.	The Owner acknowledges that work completed on behalf of the Town shall not exceed the estimated values contained within the subdivision agreement and that the Town will not accept any further progress certificates relating to the Schedule ‘K’ works and will not consider the payment of said progress certificates received after the assumption of the subdivision by the Town. The Owner further acknowledges that work done on behalf of the Town may not be reimbursed until funded in the Town’s approved capital budget.	OAK (TE, F)
61.	The Owner agrees to provide notice to prospective purchasers upon the completion and approval of the Composite Utility Plan showing the location of all community facilities (community mail boxes, bus shelter and stops, street trees, sidewalks, street light poles, hydrants, cable boxes, transformers or any other above grade facilities) to the satisfaction of staff and that this plan be displayed in the sales office.	OAK (TE)
62.	That the Owner’s engineer provide certification that all Erosion and Sediment Controls are in a state of good repair and Stormwater outfalls are operational to the satisfaction of the Transportation and Engineering Department prior to building permit issuance.	OAK (TE)

63.	That the Owner agrees to implement their applicable Minutes of Settlement/Supplementary Minutes of Settlement/Agreements (i.e. North Oakville Master Parkland Agreement) with the Town of Oakville and Conservation Halton to the satisfaction of the Town and Conservation Halton.	OAK (PS, POS, TE, F) CH
64.	That the Owner agrees to construct stormwater management facilities according to the approved plans and reports for this subdivision. Additionally, the Owner agrees to monitor and maintain the facilities until they are accepted by the town. The Owner shall provide a monitoring procedure and schedule for all stormwater management facilities / works immediately after all stormwater management facilities / works become operational. All monitoring shall be in accordance with the requirements of the approved Rampen Holdings Inc. (Coscorp) EIR FSS Addendum #5 to the Final Joshua's Creek Tributaries EIR/FSS Development Engineering Procedures and Guidelines Manual and [North Oakville Monitoring Guidelines]. Monitoring and maintenance is to be undertaken by the Owner for a minimum period of 2 years once all stormwater management works become operational and stabilized or at the Town's discretion for a minimum period of 2 years following construction of the majority of the contributing drainage area in accordance with the approved Operations Maintenance and Monitoring Program. Should the monitoring results fail to demonstrate to the satisfaction of the Town of Oakville, acting reasonably, that the performance of the stormwater management facilities / works is in accordance with acceptable engineering practices, the Owner shall take immediate remedial action.	OAK (TE)
65.	That storm sewerage, lot grading and street grading must be in conformity with the Town of Oakville's Storm Drainage Policies and Criteria Manual and to the satisfaction of the Transportation and Engineering Department, in accordance with the Development Engineering Procedures and Guidelines Manual.	OAK (TE)
66.	That the Owner agrees to provide grading plans for all lots/blocks that directly abut the NHS, an existing subdivision or lands external to the limit of the subdivision.	OAK (EP, TE)
67.	The Owner agrees that the entire draft plan of subdivision is independently unsuitable for residential development. The applicant further agrees to co-operate with adjacent land owners(s) to the east and west to affect any land assembly required to ensure that such blocks are developed in conjunction with the abutting lands and in accordance with the Zoning By-law.	OAK (TE, Z)
68.	The Owner agrees to pay for electricity supplied to light the streets in the development until such time as the first homeowners take possession. This will include the supply of power to the street lights, the commodity cost, transmission and independent electricity marketing operator charges, distribution charges and administration fees, details of which will be outlined in the subdivision agreement.	OAK (TE)
69.	The Owner shall agree to deposit mylars and digital discs (.dwg file format) of the registered plan of subdivision to the satisfaction of the Town.	OAK (TE)
70.	That the Owner agrees to pay for and install all required temporary signage as per the approved Traffic and Parking Management Plan prior to the issuance of any building permits and agrees to ensure that these temporary signs are maintained throughout the construction phase or until the permanent signage is installed.	OAK (TE)
71.	That the Owner agrees to pay for and install all permanent signage within six (6) months of the first building occupancy as per the approved Traffic and Parking Management Plan. In the event that the Owner fails to install the permanent signage in the required timeframe the Town may carry out the work on behalf of the Owner, and will charge the Owner a 100% administration surcharge for all costs incurred by the Town in carrying out this work	OAK (TE)
72.	That the Owner shall place public and educational signage within the stormwater management Blocks to identify the general operation of the stormwater management facilities and list public restrictions for recreational use all to the satisfaction of the Engineering and Construction Department.	OAK (TE)

73.	<p>That the Owner agrees within the subdivision agreement to deliver to the Town the following materials to accommodate PSAB requirements (hereinafter in this section referred to as the “Materials”) within the times herein provided:</p> <p>a) Prior to registration of the Plan, a table in form and content acceptable to the Town and certified accurate by an Ontario Land Surveyor, setting out the area of all lands to be dedicated to the Town pursuant to this agreement, including rights of way (herein after referred to as the “Dedicated Lands”);</p> <p>b) Prior to acceptance of Maintenance, a table in form and content acceptable to the Town, and certified by the Owner’s Engineer, setting out all materials used in the Town’s Work, the dates of their respective installation, together with certification of their fair market value at installation; and</p> <p>c) Prior to assumption of the Plan, updated certification by the aforementioned Ontario Land Surveyor, Owner’s Engineer or Appraiser as applicable, of the Materials and their current fair market value in form and content acceptable to the Town, together with certification in the manner and by the persons set out herein of any works to be assumed by the Town and not previously certified.</p>	OAK (TE)
74.	<p>That the Owner agrees that all roadways are to be designed to Town of Oakville standards and partial roads within the draft plans are not permitted, unless other suitable arrangements are made with the Director of Transportation and Engineering.</p>	OAK (TE)
75.	<p>In the event that required subdivision land use and notice signage becomes damaged and/or missing from their original approved locations, the Town may re-install signage on the Owner’s behalf and the Owner shall reimburse the Town for such works.</p>	OAK (TE)
76.	<p>That the Owner satisfies the telecommunications provider with respect to their land requirements and agrees to permit all electrical and telecommunication providers who have signed the Town’s access agreement to locate on the roads within the plan and that the Owner allow these services to connect to the buildings, all to the satisfaction of the Town.</p>	OAK (TE)
77.	<p>That the Owner shall provide in each of the sales offices a large coloured map, not less than 1.5 metres by 2 metres, of the approved land use plans to date and/or where applicable, the land use plans approved in the Official Plan for the overall community together with a copy of the Town of Oakville Official Plan and a prominent note indicating that further information can be obtained from the Oakville Planning Services Department.</p>	OAK (TE)
78.	<p>That the Owner designs, constructs and has in operation all necessary flood control structures and stormwater outfall structures prior to the issuance of any building permits to the satisfaction of the Conservation Halton and Transportation and Engineering Department and Parks and Open Space Department.</p>	OAK (TE, POS) CH
79.	<p>That the Owner install a 1.2 metre high black vinyl coated chain link fence, or equivalent barrier as approved by the Town, along the common boundary line, setback 0.15 metres on Town property, between the Natural Heritage System / parkland / stormwater management facility (where applicable), and the abutting lots and/or blocks. The fence must be installed prior to Building Permit issuance on adjacent lots in order to ensure there is no encroachment by the builder or homeowner into the natural heritage system / parkland / stormwater management facility (where applicable), to the satisfaction of the Planning Services Department, Transportation and Engineering Department, Conservation Halton and Parks and Open Space Department. And further that the Owner provide a legal survey, prepared and signed by an OLS), confirming the location of all fencing installed in 100% on public property and also confirming that there are no known encroachments at the time of assumption.</p>	OAK (PS, POS, TE) CH
80.	<p>That the Owner retain the services of a landscape architect in good standing with the OALA from a roster of prequalified landscape architectural consultants and agrees to provide for the preparation and submission of landscape plans including planting, grading, sodding, fencing and the design of park facilities together with</p>	OAK (PS, POS, TE, EP) CH

	cost estimates for the open space system including parkland, walkways, valley land / natural heritage system buffer areas and stormwater management facilities; and further, that the applicant finance the provision of the park facilities and the implementation of the landscape plans to the satisfaction of the Planning Department, Parks and Open Space Department and Transportation and Engineering and in accordance with the Town’s Development Charges By-law. Native non-invasive species shall be planted for lands adjacent to Natural Heritage System (Blocks 153, 154 and 155), including swales and stormwater management facilities, and within Conservation Halton’s regulated area. And further, that the Owner prepare a facility fit plan for any village square blocks confirming that the expected program elements may be incorporated. This will include any and all active sports fields, their associated buffer requirements and all supporting amenities.	
81.	That the Owner agrees at their cost to implement a municipal tree planting program for all public roads in accordance with the approved Composite Utility Plan and/or Tree Planting Plan. The selection of species, calliper and timing of work shall be undertaken to the satisfaction of the Transportation and Engineering Department and in accordance with the latest Town standards and specifications within the final and approved North Oakville Urban Forest Strategic Management Plan, where applicable.	OAK (TE, POS)
82.	That the Owner agrees to submit prior to Assumption an inventory of all boulevard trees planted by species, size, and x/y coordinates in a digital format acceptable to the Parks and Open Space Department and Transportation and Engineering.	OAK (POS, TE)
83.	That the Owner warranty all boulevard street trees and trees planted in open space areas for a period of 2 years from the date of planting and agrees to maintain in a healthy condition all trees until Assumption or to the end of the warranty period, where the warranty extends beyond assumption.	OAK (TE, POS)
84.	That the Owner agrees to place topsoil on lots, boulevards and parkland in accordance with approved Town standards.	OAK (POS, TE)
85.	That the Owner agrees to implement a monitoring program to the satisfaction of the Town and Conservation Halton (regarding natural hazards and regulated areas) for erosion and sediment control, stormwater management facilities, modified streams and stormwater management works, municipal services and trails with the Natural Heritage System, in accordance with the Water Resources Final Mediation Reports (Ontario Municipal Board) dated 30 August, 2007. The Owner shall submit monthly sediment and erosion control reports during construction to the satisfaction of Conservation Halton and the Town of Oakville.	OAK (TE, EP) CH
86.	That the Owner agrees to submit monthly (or after significant rainfall equal or greater than 10mm or snowmelt events) sediment and erosion control reports during construction to the satisfaction of Conservation Halton and the Town of Oakville.	CH
87.	That the Owner agrees to post acceptable securities with the Town of Oakville as part of the subdivision agreement, for the purpose of ensuring the construction and completion of all works identified on the approved plans including the rehabilitation of any natural heritage system block (including CH regulated areas) or open space areas to the satisfaction of Conservation Halton and the Town of Oakville which may be disturbed during the development of the subdivision.	OAK (TE) CH
88.	That the Owner agrees to use native non-invasive species in accordance with the Town’s “Planting and Restoration Framework” and Conservation Halton Landscaping Guidelines for all landscaping adjacent to all watercourse block(s), natural heritage system block(s) (including CH regulated area), and any associated buffer block(s).	OAK (EP) CH
89.	That the Owner shall prepare and implement at no cost to the Town, a landscape, restoration and enhancement plan for the stormwater management facility to the satisfaction of the Transportation and Engineering Department, Parks and Open Space and Conservation Halton in accordance with the Town’s stormwater management Landscaping Standards. The Owner shall be entirely responsible for the implementation of these features including all financial costs.	OAK (TE, EP, POS)

90.	That the Owner agrees to not store construction materials on vacant lots and/or open space blocks that abut lots which are occupied by homeowners.	OAK (TE, POS)
91.	That the Owner agrees to implement cycling and trails plans in accordance with the North Oakville Trails Plan, when finalized, and the enacted Development Charges By-law to the satisfaction of the Town.	OAK (POS)
92.	That the Owner provides a fire break plan and other fire prevention measures to the satisfaction of the Town of Oakville, where necessary.	OAK (FD)
93.	That the Owner agrees that any exposed soil within a watercourse block, either as a result of realignment or rehabilitation works, will be seeded or otherwise stabilized within 24 hours of exposure to minimize the transport of sediment downstream.	CH
94.	That the owner agree that no fill from the site may be dumped on or off-site in an area regulated by Conservation Halton without the prior written permission of Conservation Halton.	CH
95.	That the Owner agrees to not stockpile fill within Conservation Halton's regulated area without prior written approval on Conservation Halton.	CH
96.	That the Owner agrees, that should it be determined through detailed design that grade changes are required in order to accommodate development of lot/blocks adjacent to Conservation Halton's regulated areas, any changes to the proposed grades that are separate of the floodplain alteration in Block 148 must be accommodated outside of Block 148, and the lot lines must be adjusted accordingly, to the satisfaction of Conservation Halton."	OAK (EP, TE) CH
97.	That the Owner agrees to provide as-built drawings for works within the natural hazards. Surveys undertaken to delineate any hazard shall be provided to Conservation Halton digital format. Digital data should be delivered in one of the following formats: <ul style="list-style-type: none"> a) ESRI geodatabasev10.x (or newer) feature classes b) ESRI shape file format. c) AutoCAD DWG or DXF Format, version 2019 or earlier If the Project Consultant utilizes ESRI products to produce maps, the matching .mxd will be provided that corresponds to the map figure. Digital data will be provided in UTM NAD 83 Zone 17 NAD 83 datum. Data referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Vertical datums must be clearly identified in the survey documentation. Flood plain models used in the delineation of flood hazards must be provided to Conservation Halton and referenced to the above mapping standards. Questions can be directed to Conservation Halton GIS staff.	CH
98.	That the Owner acknowledges that all works which are the responsibility of the Owner to complete, shall be subject to general construction observation by a licensed Professional Engineer of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full-time staff on site during construction activities to obtain the required "as constructed" field information, and to ensure general compliance to the best of his/her professional knowledge with the approved drawings and the Town and Region's Current Construction and Design Standards.	RMH (LPS) OAK (TE)
99.	That the Owner agrees that pre and post development storm water flows from the site to the existing drainage system are maintained both during and after construction, such that there are no adverse impacts to the existing storm drainage system to the satisfaction of Halton Region's Development Project Manager.	RMH (LPS)
100.	That the Owner agrees to conduct a survey of the static water level and quality of all wells within 500 metres of the plan. The Owner further agrees to resolve any claims of well interruption due to the construction of municipal services to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
101.	The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The owner further agrees to decommission any existing private septic systems in accordance with	RMH (LPS)

	MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.	
102.	That the Owner acknowledges that development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Regional Municipality of Halton.	RMH (LPS)
103.	The Owner agrees to restrict the building occupancy of the all the units located within the proposed subdivision until the required watermain and sanitary sewer infrastructure located in the proposed adjacent subdivisions is constructed, operational and that written confirmation has been given by the Region's Senior Planner that this infrastructure has been completed and building occupancy can proceed.	RMH (LPS)
104.	The Owner agrees to provide and install individual pressure reducing valves (PRV), where required, at the residential units within the subdivision to meet the requirements of the Ontario Building Code to the satisfaction of the Region's Development Project Manager.	RMH (LPS)
105.	That the owner agrees that warning clauses shall be included in a registered portion of the Regional Subdivision Agreement, and in subsequent offers of purchase and sale on all units within this development and, registered on title regarding potential water pressures changes within the subdivision resulting from the realignment of the Region's water pressure zones from the existing zone condition to the interim and ultimate zone pressure conditions.	RMH (LPS)
106.	The Owner agrees that until notice from Halton Region's Commissioner of Public Works is given to the Owner that development of these lands is able to proceed by the issuance of a building permit with residential water/wastewater capacity or that units under the Region's Allocation Program will be operational within 12 months, that the Owner shall not seek the issuance of building permits for any development in this phase and: <ul style="list-style-type: none"> • shall not sell or offer for sale any lot or block or any part thereof within this phase if such sale obligates the Owner or permits the purchaser to construct a residential building on such lot or block; and, • shall not seek final approval for registration of such lots or blocks or any part thereof. 	RMH (LPS)
107.	That the Owner has addressed all the requirements of the Allocation Program including, but not limited to, the signing of any additional agreements, provision of any required payments and the issuance of a Region of Halton Public Works Commissioner's Notice (PWCN), to the satisfaction of the Region of Halton.	RMH (LPS)
108.	The Owner will provide revised documents in relation to allocation, including a revised 'Draft Plan' and 'Allocation Plan', to the satisfaction of Halton Region.	RMH (LPS)
109.	The Owner will provide a revised 'Allocation Assignment Plan' to reflect the correct number of units in both Phase 1 and 2, to the satisfaction of Halton Region.	RMH (LPS)
110.	The Owner will provide additional information to the Region, which outlines how they wish to address the seven reserve blocks, to the satisfaction of Halton Region.	RMH (LPS)
111.	The Owner will provide additional information to the Region on the intent to address the shortfall of allocation, to the satisfaction of Halton Region.	RMH (LPS)
112.	That the owner acknowledges, in writing, that the developer will be fully responsible for collection and disposal of all waste until the developer is able to confirm that the development has reached 90% occupancy and demonstrate that a waste collection truck is able to safely and consistently perform collection services without obstruction or delay, to the satisfaction of the Region.	RMH (LPS)
113.	The owner acknowledges, in writing, they will provide a letter to all tenants/owners within the development which clearly communicates the details of the Waste management system that will be provided by the Developer and when Region collection will begin, to the satisfaction of Halton Region. This includes that waste collection for the proposed development will not commence	RMH (LPS)

	until the proposed development is 90% occupied and that a Waste collection truck is able to safely and consistently perform collection services without obstruction or delay. The owner shall provide a copy of the letter, which clearly communicates the details of the Waste management system, addressed to all tenant/owners within the development, to the satisfaction of Halton Region.	
114.	The Owner agrees that should the development be phased, the Owner shall submit a phasing plan prior to final approval of the first phase. The phasing plan will indicate the sequence of development, the land area in hectares, the number of lots and blocks for each phase and the proposed use of all blocks including, the proposed number of units, the specific lots to be developed, site access to each phase, grading and the construction of public services. The phasing must be reflected in all engineering reports. The phasing shall be to the satisfaction of the Regional Municipality of Halton, Conservation Halton and the Town of Oakville.	RMH (LPS) OAK (TE) CH
115.	That the Owner agrees to phase the development of the subject lands to the satisfaction of Conservation Halton and the Town of Oakville, if necessary.	OAK (TE) CH
116.	That the Owner shall submit a copy of the approved sidewalk plan , prepared to the satisfaction of the Town of Oakville, to the Halton District School Board and Halton Catholic District School Board.	OAK (TE) HDSB HCDSB
117.	That the Owner provides the Board a geo-referenced AutoCAD file of the draft M-plan once all Lot and Block numbering configuration has been finalised. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes.	HDSB HCDSB
118.	That the Owner agrees to erect and maintain signs at all major entrances into the new development advising prospective purchasers that a permanent school is not available and that alternate accommodation and/or bussing will be provided. The Owner will make these signs to the specifications of the respective School Board and erect them prior to final approval.	HDSB HCDSB
119.	The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's agreements, to be registered on title: <ul style="list-style-type: none"> a) Prospective purchasers are advised that school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bused to existing facilities outside the area. b) Prospective purchasers are advised that the Board will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and that you are notified that school busses will not enter cul-de-sacs and private roads. <p>In cases where offers of purchase and sale have already been executed, the owner is to send a letter to all purchasers which include the above statements.</p>	HDSB HCDSB
120.	That the Owner agrees to ensure that all new home buyers will be officially notified of the exact Community Mail Box locations prior to any house sales. Also that the owner shall post in a clear site a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed and approved prior to the start of the House sales for the subdivision. Once the homeowner has closed their home sale, the developer shall notify all new homebuyers of the process to initiate Mail Delivery as well as the address of the local Post office where new homeowners can go and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery.	CP
121.	The Owner agrees to provide the location of all Community Mail Boxes on the approved Composite Utility Plan to the satisfaction of the Town and Canada Post.	CP
122.	The Owner agrees, prior to offering any units for sale, to display and maintain a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all Community Mail Boxes within the	CP

	development, as approved by Canada Post. Further, the Owner agrees to inform all homebuyers of the process to initiate mail delivery for their new home address.	
123.	The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.	CP
124.	The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.	CP
125.	The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.	CP
126.	The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.	CP
127.	The Owner agrees to provide a suitable and safe temporary site for Community Mail Box locations. This temporary mail box pad will be a compacted gravel area with a minimum of a single row of patio stones for mail box placement. Temporary pad specifications will be provided to the Owner during the siting process. This location must be set up a minimum of 30 days prior to first occupancies.	CP
128.	The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.	CP
129.	The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.	CP
130.	That the Owner acknowledges that where multi-unit or commercial, office or similar buildings are located, one or more conduit or conduits of sufficient size will be provided from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.	BC /Cogeco/ Rogers
131.	That the Owner acknowledge its responsibility to up-front the cost of any extension to the electrical distribution system .	OH
132.	That the Owner agrees to place the following notification in all offers of purchase and sale for all lots and/or units and in the Town's subdivision agreement to be registered on title: a) "Purchasers of Lots 17, 18, 71-112, Blocks 141, 147, 148, 152 and 158 are advised that their properties abut lands which may be developed for future residential uses ." b) "Purchasers and/or tenants of Lots 5, 6, 113, and 114 are advised that they abut a Walkway Block which will allow for public access." c) "Purchasers and/or tenants of lots or units adjacent to or near the Village Square, Neighbourhood Park or any other parkland and open space are advised that these parks, in whole or in part, may be vegetated to create a natural setting. Be advised that, in these areas, the Town may not carry out routine maintenance such as grass and weed cutting." d) "Purchasers and/or tenants of lots or units adjacent to or near the Village Square and walkway blocks are advised that these open space areas will be used for general active and passive public recreation and leisure uses,	OAK (PS, TE, POS) CH HDSB HCDSB CP RMH (LPS)

	<p>including but not limited to walkways (lit and unlit), bikeways, playgrounds, trails, sports field (lit or unlit), splash pad, visitor parking, and/or multi-use courts. In addition to daytime use, park facilities may be used in the evenings and on weekends.”</p> <p>e) “Purchasers and/or tenants of Lots 1-18 and 112-115 are advised that a walkway may abut the subject property consistent with the North Oakville Trails Plan. During normal use of, and activity on, the walkway, some noise could occasionally be generated that may potentially interfere with outdoor activities on the subject property.”</p> <p>f) “Purchasers and/or tenants of Lots 71-100 are advised that their properties are partially regulated by Conservation Halton, until the floodplain hazard has been removed from the rear property to the satisfaction of Conservation Halton. Conservation Halton must be contacted prior to any development occurring on the property.”</p> <p>g) “Purchasers and/or tenants of Lots 1-18, 71-100, 112-115, Blocks 147, 152 and 158 are advised that no encroachment is permitted into the natural heritage system and area regulated by Conservation Halton without approval from the Town of Oakville and Conservation Halton.”</p> <p>h) “Purchasers and/or tenants for all lots adjacent to the Natural Heritage System, a statement which advises that the Town reserves the right to install a public trail connection within these blocks. Further purchasers are advised that individual gate access to these blocks from their property is prohibited. In addition, dumping of yard waste or other household materials is also prohibited.”</p> <p>i) “Purchasers are advised that the Town of Oakville’s current street tree planting standards, which are subject to change, are intended to have an average of one tree for every 12 metres of frontage to be considered for planting in order to accommodate future tree growth. This means that not every house is intended to receive a tree. Purchasers are also advised that the ability to accommodate the planting of a street tree within the public road allowance will be influenced by housing form, development setbacks, utilities, driveway width and location. The Town reserves the right, in its sole discretion, to determine whether a street tree will be planted at any particular location within the subdivision particularly on narrow building lots.”</p> <p>j) “Purchasers are advised that winter maintenance and snow plowing from public streets and laneways will be done in accordance with the Council approved protocol and policies for snow removal.”</p> <p>k) “Purchasers and/or tenants are advised that the homeowner’s builder is responsible for the timing and coordination of rectifying lot grading matters which occur prior to assumption.”</p> <p>l) “Purchasers and/or tenants are advised that prior to the placement of any structures in side and rear yards, the Zoning By-law should be reviewed to determine compliance and that a Site Alteration Permit may be required prior to proceeding to do any site work.”</p> <p>m) “Purchasers and/or tenants are advised that private landscaping is not permitted to encroach within the Town’s road allowance, public open space or Natural Heritage System area. Any unauthorised encroachments are to be removed by the homeowner prior to Assumption.”</p> <p>n) “Purchasers and/or tenants are advised that an overall grade control plan has been approved for this Plan and further some lots will incorporate the drainage of adjoining lots through the design of swales and rear lot catch basins.”</p> <p>o) “Purchasers are advised that any unauthorized alteration of the established lot grading and drainage patterns by the homeowner may result in negative drainage impacts to their lot and/or adjoining lots.”</p>	
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<p>p) “Purchasers are advised that the following street(s) in the area may be designated as interim or permanent bus routes, and that bus stops and shelters may be installed along the street(s): Streets A and C”</p> <p>q) “Purchasers and/or tenants are advised that home/business mail delivery will be from designated Community Mail Boxes and that purchasers are to be notified by the developer/owner regarding the exact centralized mail box locations prior to the closing of any home sales. “</p> <p>r) “Purchasers are advised that the schools on sites designated for the Halton District School Board or Halton Catholic District School Board in the community are not guaranteed. Attendance in the area is not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area.”</p> <p>s) “Purchasers are advised that school buses will not enter a cul-de-sac and pick-up points will be generally located on through streets convenient to the Halton Student Transportation Services. Additional pick-up points will not be located within the subdivision until major construction activity has been completed.”</p> <p>t) “Purchasers are advised that Village Squares will contain children’s play equipment that may generate noise or nuisance to those homebuyers who purchase adjacent to parks and open space. Village Squares may also contain community mail boxes. Community Parks may also include the provisions for sports field lighting that may generate noise or nuisance to homebuyers who purchase adjacent to community parks.”</p> <p>u) “Purchasers are advised that Town Stormwater Management Ponds will be subject to scheduled maintenance and periodic cleanout in accordance with Town requirements.”</p> <p>v) “Purchasers are advised that driveway entrance widenings or modifications on private or public lands beyond what was approved as part of the subdivision design will not be permitted. Property Owners must take note of the available parking space on their approved driveway and within the garage and purchase homes with the knowledge that additional space for more personal / family vehicles may be limited or unavailable.”</p> <p>w) “Purchasers are advised that Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bussed to existing facilities outside the area. Halton Catholic District School Board will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board.”</p> <p>x) “Purchasers are advised that North Oakville is founded on the principle of public transit as a priority and as such buses with varying frequencies of services are expected to operate throughout the neighbourhoods. Residents are expected to accept bus operations, with their associated impacts as a reality along roadways of this community. Transit infrastructure including bus stops and bus shelters may be located on municipal streets within subdivisions either as temporary and/or permanent features.”</p> <p>y) “Purchasers are advised that Public roads are expected to accommodate pedestrians, cyclists and vehicles of all types. Temporary and/or permanent public parking along municipal roads except laneways adjacent to any property can be made available for on-street parking by the public and is not reserved for use by the property Owner. This will be most evident in close proximity to parks, schools, laneways and commercial or mixed use districts where visitors to these locations will be encouraged to park on-street in accordance with municipal requirements as on-site parking space will be minimal or non-existent.</p> <p>z) “Purchasers are advised that there is the potential for high water pressures within the subdivision.”</p> <p>aa) “Purchasers and/or tenants of lots backing onto Block 148 are advised that a portion of their lot may contain areas regulated by Conservation Halton</p>	
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	<p>(CH) under the Conservation Authorities Act (CA Act) and Ontario Regulation 41/24, as proclaimed on April 1, 2024, and as may be amended from time to time. Permission is required from CH prior to undertaking development activities within CH’s regulated area. For further information please contact CH at chplanning@hrca.on.ca or 905.336.1158.”</p> <p>bb) Purchasers are advised of the following related to the North Oakville East Secondary Plan (NOESP): 1) Street ‘A’ will connect to Burnhamthorpe Road East, which is expected to be developed with employment land uses along the north side of the road. 2) Street ‘C’ will connect to Trafalgar Road, which is expected to be developed with high density buildings up to 35 storeys.”</p> <p>In cases where offers of purchase and sale have already been executed, the Owner shall send a letter to all purchasers which includes the above statements.</p>	
	CLOSING CONDITIONS	
1.	Prior to signing the final plan the Director of Planning, Design and Development shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided.	OAK (PS)
2.	Prior to signing the final plan the Director of Planning, Design and Development shall be advised by the Regional Municipality of Halton that conditions 3-6, 27, 34, 44-49, 98-114 and 132 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) RMH (LPS)
3.	Prior to the signing of the final plan the Director of Planning, Design and Development shall be advised by Conservation Halton that conditions 10-15, 24, 27, 28, 35-39, 63, 78-80, 85-88, 93-97, 114, 115 and 132 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) CH
4.	Prior to signing the final plan the Director of Planning, Design and Development shall be advised by the Halton District School Board that conditions 50, 116-119 and 132 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) HDSB
5.	Prior to signing the final plan, the Director of Planning, Design and Development shall be advised by the Halton Catholic District School Board that conditions 50, 116-119 and 132 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OAK (PS) HCDSB
6.	Prior to signing the final plan, the Director of Planning, Design and Development shall be advised by the telecommunications provider that conditions 53 and 130 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OAK (PS) BC, Cogeco, Rogers
7.	Prior to signing the final plan the Director of Planning, Design and Development shall be advised by Canada Post that conditions 51, 120-129 and 132 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) CP
8.	Prior to signing the final plan the Director of Planning, Design and Development shall be advised by the Ministry of Tourism, Culture and Sport that condition 1 has been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.	OAK (PS) MTCS
9.	Prior to signing the final plan, the Director of Planning, Design and Development shall be advised by Oakville Hydro that condition 131 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	OH
10.	Prior to signing the final plan, the Director of Planning, Design and Development shall be advised by Union Gas/Enbridge Gas that conditions 52 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.	UG/Enbridge

<p>All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being Day __, Month ____, 20xx.</p>	<p>OAK (PS)</p>
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LEGEND – CLEARANCE AGENCIES

BC	Bell Canada
Cogeco	Cogeco Cable
CP	Canada Post
HCDSB	Halton Catholic District School Board
HDSB	Halton District School Board
CH	Conservation Halton
MECP	Ministry of Environment, Conservation and Parks
MNRF	Ministry of Natural Resources, Forestry and Parks
MTCS	Ministry of Tourism, Culture and Sport
OAK (A)	Town of Oakville – Planning Administration
OAK (EP)	Town of Oakville – Environmental Planning
OAK (F)	Town of Oakville – Finance
OAK (FD)	Town of Oakville – Fire Department
OAK (L)	Town of Oakville – Legal
OAK (POS)	Town of Oakville – Parks and Open Space Department
OAK (PS)	Town of Oakville – Current Planning Services
OAK (T)	Town of Oakville – Transit
OAK (TE)	Town of Oakville – Transportation and Engineering Department (formerly DE)
OAK (Z)	Town of Oakville – Building Services Department, Zoning Section
OH	Oakville Hydro
RMH (LPS)	Regional Municipality of Halton – Legislative and Planning Services
Rogers	Rogers
UG/Enbridge	Union Gas/Enbridge Gas

NOTES:

1. That the Owner shall obtain a Permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for any development or site alteration within the regulated area including, but not necessarily limited to, dumping of fill, grading, stormwater outfalls, and watercourse crossings.
2. The Owner should obtain authorization from Fisheries and Oceans Canada (DFO) for the Harmful Alteration, Disruption or Destruction of Fish Habitat, pursuant to the **Fisheries Act**, where necessary.
3. The Owner should obtain the written approval of the Ministry of Environment, Conservation and Parks (MECP) for any work within significant habitat of endangered and threatened species, as per the **Endangered Species Act**, where necessary.
4. The Owner should obtain the written approval of the Environment and Climate Change Canada or Fisheries and Oceans Canada for any work within significant habitat of endangered and threatened species, as per the **Species at Risk Act**, where necessary.
5. The Owner should ensure that any vegetation removal take place outside of the nesting season, pursuant to the **Migratory Bird Convention Act**, where necessary.
6. The Owner should obtain the written approval of the Ministry of Natural Resources and Forestry (MNRF) for any work pursuant to the **Lakes and Rivers Improvement Act**, where a dam or blockage of the watercourse is proposed, where necessary
7. That the Owner shall obtain a site alteration permit under By-law 2008-124, as it may be amended from time to time or any successor thereto, prior to any earth moving activities. Matters to be

addressed as part of the site alteration permit shall include but not be limited to confirmation of construction access, installation and maintenance of erosion and sediment controls, mud tracking, stabilisation, grading and seeding of non-development blocks.

8. The owner is to enter into satisfactory arrangements with the Town related to the payment of Parkland / Cash in Lieu in accordance Section 42 of the Planning Act and the Town's By-law 2022-108 and the payment of a Community Benefit Charge (if applicable) in accordance with By-law 2022-069. The owner is to contact the Town's Manager of Realty Services no later than 90 days prior to their intended date to draw the first building permit for the proposed development or redevelopment, to arrange coordination of the necessary appraisal.
9. The required payments and contributions for water, wastewater and roads are payable in accordance with the terms and conditions set out in the applicable allocation program agreement in which the Single-Detached Equivalents are being reserved for the Owner.
10. The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at www.halton.ca/developmentcharges to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.

11. Fees are required by Halton Region for each extension to draft approval and for major revisions to the draft plan or conditions.
12. For more information on how to obtain a PWCN, please contact: Michaela Campbell, Intermediate Planner, Public Works.
13. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
 - Final draft M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
 - Regional Registration fee
 - Registry Office review form
14. Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum yield that is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.
15. In order to obtain a Public Works Commissioner's Notice (PWCN), please provide a formal request in an email or letter along with the following information to the Regional Planner on file containing the following:
 - The number of single detached equivalents (SDEs) that the PWCN is being requested for, the respective law file number and corresponding allocation program, including a copy of the draft plan drawing.
 - A Functional Servicing Report (FSR) OR a Design Brief rationalizing the most current FSR that was approved for the proposed development.
 - Confirmation that the Zone 3/4/5 Boundary Realignment Assessment in relation to your proposed development is deemed satisfactory by the Region's Development Project Manager (Please contact 3/4/5 Development Project Manager for more details: Ron Mackenzie, 905-825-6000 Ext. 7628)

A PWCN cannot be issued until all projects listed in the respective group as set out in Schedule G (Engineering and Construction projects) of the applicable Allocation Agreement(s) have been completed.

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APPENDIX B – Applicable Policy Excerpts

Provincial Policy Statement - 2020

The Provincial Policy Statement (2020) ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

The subject lands are located within a settlement area, which are to be the focus of growth and development (policy 1.1.3.1). The land use patterns within the settlement area based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive.

Part V: Policies

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and

- i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

1.2 Coordination

- 1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
 - a) managing and/or promoting growth and development that is integrated with *infrastructure* planning;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*; and
 - h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.

1.4 Housing

- 1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
 - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and

- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and

- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.6 Infrastructure and Public Service Facilities

- 1.6.1 *Infrastructure and public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
- b) opportunities for adaptive re-use should be considered, wherever feasible.

- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.

- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

1.6.7 Transportation Systems

- 1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

- 1.6.7.2 Efficient use shall be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

- 1.6.7.3 As part of a *multimodal transportation system*, connectivity with and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future uses of transit and *active transportation*.

1.6.8 Transportation and Infrastructure Corridors

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.

1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

Growth Plan (2020)

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, expand convenient access to transportation options.

Section 1.2.1 – Guiding Principles

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.

- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

Section 2.2 – Policies for Where and How to Grow

2.2.1 – Managing Growth

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a. the vast majority of growth will be directed to settlement areas that:
 - i. have a *delineated* built boundary;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;
- b. within *settlement areas*, growth will be focused in:
 - i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;

2.2.1.4 Applying the policies of this plan will support the achievement of *complete communities* that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;

- e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;
- f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
- g) integrate green infrastructure and low impact development.

2.2.2.3 – Delineated Built-up Areas

All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:

- a) encourage *intensification* generally to achieve the desired urban structure;
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c) identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
- e) prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

2.2.6.3 – Housing

To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes

Section 3 – Policies for Infrastructure to Support Growth

3.2.1 – Integrated Planning

1. *Infrastructure* planning, land use planning and *infrastructure* investment will be co-ordinated to implement this Plan.
2. Planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental and financial planning, and will be supported by relevant studies and should involve:
 - a) leveraging *infrastructure* investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
 - b) providing sufficient *infrastructure* capacity in *strategic growth areas*;
 - c) identifying the full life cycle of *infrastructure* and developing options to pay for these costs over the long-term; and
 - d) considering the impacts of a changing climate.
3. *Infrastructure* investment and other implementation tools and mechanisms will be used to facilitate *intensification* and higher density development in *strategic growth areas*.

Priority will be given to *infrastructure* investments made by the Province that support the policies and schedules of this Plan.

4. Municipalities will assess *infrastructure* risks and vulnerabilities, including those caused by the impacts of a changing climate, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
5. The Province will work with public sector partners, including Metrolinx, to identify strategic infrastructure needs to support the implementation of this Plan through multi-year infrastructure planning for the transportation system and public service facilities.

3.2.2 – Transportation General

1. *Transportation system* planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.
2. The *transportation system* within the *GGH* will be planned and managed to:
 - a. provide connectivity among transportation modes for moving people and for moving goods;
 - b. offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and *active transportation*;
 - c. be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for trip-making and supporting the use of zero- and low-emission vehicles;
 - d. offer *multimodal* access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services;
 - e. accommodate agricultural vehicles and equipment, as appropriate; and
 - f. provide for the safety of system users.
4. Municipalities will develop and implement *transportation demand management* policies in official plans or other planning documents or programs to:
 - a. reduce trip distance and time;
 - b. increase the *modal share* of alternatives to the automobile, which may include setting *modal share* targets;
 - c. prioritize *active transportation*, transit, and goods movement over single-occupant automobiles;
 - d. expand *infrastructure* to support *active transportation*; and
 - e. consider the needs of *major trip generators*.

North Oakville East Secondary Plan

7.3 COMMUNITY STRUCTURE

7.3.3 RESIDENTIAL NEIGHBOURHOODS

Residential neighbourhoods as designated on Figure NOE1 (Community Structure) are comprised of a range of residential densities including significant areas appropriate for ground related housing and live/work opportunities:

- a) Neighbourhood Centre

Neighbourhood Centres are located in the centre of each neighbourhood, within walking distance of most residents. While predominately residential in character, Neighbourhood Centres will permit a range of uses. These uses will be permitted throughout the area but will be focused at a central activity node for the neighbourhood. Neighbourhood Centres have denser development than other parts of the neighbourhood but are predominantly ground related, and, in addition to residential development, will include a range of convenience and service commercial, civic, institutional and live-work functions in buildings at a scale and with a design appropriate to the area.

b) General Urban

General Urban areas, while predominately residential, also provide for live-work functions. Development will be at lower densities than those found in the Neighbourhood Centre.

c) Sub-urban

The least dense and most purely residential context is found in areas in a neighbourhood termed "Sub-urban". While live-work functions are permitted, these areas are primarily residential in nature.

7.3.5 NATURAL HERITAGE AND OPEN SPACE SYSTEM

The Natural Heritage and Open Space System for North Oakville East is part of a larger system which is intended to extend through all of North Oakville. It forms a central feature of the North Oakville East Planning Area. It is comprised of two components, a Natural Heritage component and an Open Space component.

a) The Natural Heritage component of the System is comprised of the following key areas as identified by the policies in the Plan:

iii) High Constraint Stream Corridor Areas

High Constraint Stream Corridor Areas include certain watercourses and adjacent riparian lands, including buffers measured from the stable top-of-bank or meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas. They must be protected in their existing locations for hydrological and ecological reasons.

b) The Open Space component of the Natural Heritage and Open Space System includes open space areas such as stormwater facilities, cemeteries, public parks and schools. The Open Space component of the System will be designed, where possible, to connect to, and enhance the Natural Heritage component of the System

7.4 SUSTAINABLE DEVELOPMENT STRATEGY

7.4.7 NATURAL HERITAGE COMPONENT OF THE NATURAL HERITAGE AND OPEN SPACE SYSTEM

7.4.7.1 Natural Heritage Designations

The Natural Heritage component of the Natural Heritage and Open Space System, reflecting an alternative Greenlands System as intended by the Regional Plan, is comprised of lands designated “Natural Heritage System Area” on Figures NOE1, NOE2 and NOE4 and “Core Preserve Area”, “Linkage Preserve Area”, “Optional Linkage Preserve Area”, “High Constraint Stream Corridor Area” and “Medium Constraint Stream Corridor Area” on Figure NOE3. It also includes watercourses and features designated as “Other Hydrological Features” on Figure NOE3, to the extent that they are maintained after development occurs, in accordance with the policies in Section 7.4.8.

The Natural Heritage System Area designation is comprised of the following key areas:

c) High Constraint Stream Corridor Areas

High Constraint Stream Corridor Areas as designated on Figure NOE3 include certain watercourses with associated riparian lands, including buffers measured from stable top-of-bank and meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas

They must be protected in their existing locations for hydrological and ecological reasons in accordance with the directions established in the North Oakville Creeks Subwatershed Study.

7.5 COMMUNITY DESIGN STRATEGY

7.5.1 PURPOSE

This section outlines general design policies for North Oakville East, as well as specific policies for the Neighbourhoods as designated on Schedule NOE1, and the Trafalgar Urban Core Area, Neyagawa Urban Core Area, the Dundas St. Urban Core Area, Employment Districts, and existing development.

7.5.2 MASTER PLAN

- a) The North Oakville East Master Plan in Appendix 7.3 to the Official Plan is intended to illustrate graphically the design of the North Oakville East Planning Area and how the policies and Figures of the North Oakville East Secondary Plan are to be implemented. The spacing, function and design of intersections of Local Roads with Major Arterial/Transit Corridors (i.e. Regional arterials) shown on Appendix 7.3 have not been approved by the Region, and such intersections shown on Appendix 7.3 and on any subsequent area design plan, plan of subdivision, or other development plan, are subject to Regional approval.
- b) Prior to the commencement of the development of any:

- i) neighbourhood in accordance with the neighbourhood boundaries established on Figure NOE1 and, where applicable, the portion of the Dundas Urban Core that abuts the neighbourhood;
- ii) sub-area within the Trafalgar Urban Core Area identified on Figure NOE1, except that lands in any sub-area on one side of Trafalgar Road may proceed independently of the lands in that sub-area on the other side of Trafalgar Road;
- iii) part of the Neyagawa Urban Core Area;
- or
- iv) sub-area within the Employment Area or the Transitional Area identified by the Town, in consultation with all affected landowners, based on boundaries created by Arterial, Avenue or Connector roads or natural features, provided that a sub-area may include adjacent Employment and Transitional Areas.

The Town shall determine, after consultation with all affected landowners in the specific area, whether proposed plans of subdivision or other development plans for the affected lands are generally consistent with the Master Plan in Appendix

7.3. Where such plans are determined to be generally consistent with the Master Plan, development may be permitted to proceed without the preparation of an area design plan.

- c) The Town shall require the preparation of an area design plan to the satisfaction of the Town, prior to draft plan approval or approval of other development plans in a specific area identified in subsection b), where:
 - i) proposed plans of subdivision or other development plans for the area are not generally consistent with the Master Plan in Appendix 7.3;
 - ii) the Town after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between landowner plans;
 - iii) the Town, after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between areas identified in 7.5.2 b) i) to iv); or
 - iv) any significant development is proposed in the Transitional Area designation.
- d) The area to be addressed by the area design plan will include, as applicable, one or more of the areas identified in subsection b).
- e) The area design plan will be designed to demonstrate conformity with the policies and Figures of the Secondary Plan and will provide details including:
 - i) the size and location of schools, neighbourhood parks, village squares and urban squares;
 - ii) the location, size and general configuration of stormwater management ponds;
 - iii) the detailed road pattern;
 - iv) the specific boundaries of neighbourhood land use categories and other designations;
 - v) the density and distribution of housing types;
 - vi) how the proposal addresses the Town's Implementation Strategy;

- vii) the location, alignment and boundaries of Medium Constraint Streams;
 - viii) co-ordination with land uses and road patterns for lands outside, but adjacent to the lands which are the subject of the area design plan; and
 - ix) the requirements for Transitional Areas as set out in Section 7.6.9.3 a).
- f) Such area design plans shall be prepared in accordance with terms of reference approved by the Town and the applicant(s), by a consultant approved by the Town and the applicant(s), and retained by, and at the cost of, the applicant(s).
- g) In the preparation of the terms of reference, the Development Review provisions of Section 7.8 of this Plan will be used as a guide.
- h) A proposed plan of subdivision or other development plan shall be considered to be inconsistent with the Master Plan, as referenced in subsection c) i), if it does not conform to the General Design Directions in Section 7.5.4, or results in coordination issues between areas identified in subsection b. The following will generally not be considered to be inconsistent with the Master Plan, provided that the Town determines that the plan of subdivision or other development plan conforms with the policies and Figures of the Secondary Plan:
- i) modifications to, or relocations of portions of the road pattern;
 - ii) modifications to Medium or Low Constraint Stream Corridors or Hydrologic Features “A” and “B”;
 - iii) relocation of public facilities including parks, schools and stormwater ponds; or
 - iv) reconfiguration of the neighbourhood land use categories generally in accordance with the neighbourhood land use category requirements of Table 1. However, any reconfiguration of neighbourhood land use categories proposed by a plan of subdivision or other development plan that necessitates significant changes to the distribution of neighbourhood land use categories on other land ownerships, in order to maintain general conformity with Table 1, will require the preparation of an area design plan.
- i) The approval of an area design plan by the Town shall not require an amendment to this Plan.

7.5.4 GENERAL DESIGN DIRECTIONS

- a) All development, particularly in the Urban Core Areas, Neighbourhood Centre and General Urban Areas, shall be designed to be compact, pedestrian and transit friendly in form. Mixed use development will be encouraged.
- c) Development shall be based on a modified grid road system with interconnected networks of roads designed to disperse and reduce the length of vehicular trips and support the early integration and sustained viability of transit service. For local roads not shown of Figure NOE4, the modified grid road system will respond to topography and the Natural Heritage System component of the

Natural Heritage System and Open Space System. Cul-de-sacs will generally be permitted only when warranted by natural site conditions.

7.5.5.3 Avenue and Connector/Transit Corridors

Avenue/Transit Corridors and Connector/Transit Corridors as designated on Figure NOE4 connect neighbourhoods together and to Urban Core Areas and other major focal points of the community. These roads will have a higher level of design than the Local Streets through the extended use of tree and feature planting, paving, lighting and signage design. The design will complement the planned abutting land uses. For example, where these streets provide access to street related retail and mixed use development, in the Urban Cores and Neighbourhood Centres, their design shall include on-street parking, wider sidewalks, and street furniture such as benches.

7.5.12 NEIGHBOURHOODS

Figure NOE1 identifies the neighbourhood structure for North Oakville East. Each neighbourhood will have distinctive characteristics, but with the following common features:

- a) Each neighbourhood will include at its centre, approximately a five minute walk from most areas of the neighbourhood, a neighbourhood activity node which would include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate at the neighbourhood activity node.
- b) Neighbourhoods shall be primarily residential in character, but will include mixed use development including commercial, institutional, live-work and civic facilities;
- c) Within neighbourhoods, a range of lot sizes, building types, architectural styles and price levels shall be provided to accommodate diverse ages and incomes;

7.6 LAND USE STRATEGY

7.6.1 PURPOSE

The land use designations on Figure NOE2 establish the general pattern of development for the existing and future use of the North Oakville East Planning Area during the planning period. The policies for these designations are set out in this section.

7.6.7 NEIGHBOURHOOD AREA

a) Purpose

The Neighbourhood Area designation on Figure NOE2 is applicable to areas intended for the development of residential neighbourhoods. Each neighbourhood is identified on Figure NOE1. The neighbourhoods will each include a neighbourhood central activity node, a five minute walk from most residences, which will include public facilities that serve the neighbourhood. Live/work units and limited commercial uses will also be encouraged to locate in this area.

b) Land Use Policies

Each neighbourhood will be developed with a mix of development based on the following land use categories. The land use categories, Neighbourhood Centre, General Urban and Sub-urban, shall be represented in each neighbourhood, with the exception of Neighbourhood 14, generally in accordance with the percentages in Table 1 to this Secondary Plan.

7.6.7.1 Neighbourhood Centre Area

a) Purpose

The Neighbourhood Centre Area land use category on Appendix 7.3 will generally be used for areas located central to each neighbourhood. It is intended to accommodate a range of medium density residential, mixed use, live/work units and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents.

b) Permitted Uses, Buildings and Structures

- The permitted uses shall be medium density residential, mixed use and small scale convenience retail, personal service, restaurants and business activity, as well as public and institutional uses including village squares. Business activity may include a range of small scale uses including offices, medical clinics, workshops for artisans and artists studios.
- Permitted uses shall be primarily located in mixed use or medium density residential buildings. Both mixed use and single use buildings shall be permitted and this may include convenience commercial buildings in accordance with the provisions in Subsection c) below.
- Notwithstanding the above, a minimum of one mixed use or non-residential building, in accordance with the provisions of Section 7.6.7.1c) is required at the intersection of each neighborhood activity node identified on Figure NOE1.

c) Land Use Policies

- Mixed-use development will be focused at neighbourhood activity nodes, identified on Figure NOE1, which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate in these areas.
- A mix of uses shall be permitted at the following heights and densities:
 - Minimum density - FSI of 0.5 for mixed use;
 - Maximum density - FSI of 2 for mixed use;
 - Minimum density - 35 units per net hectare for residential;
 - Maximum density - 150 units per net hectare for residential;
 - Minimum height - 2 storeys; and,
 - Maximum height - 6 storeys (OPA321).
- The zoning by-law shall establish minimum and maximum setbacks and implement densities and other standards to ensure that development achieves the minimum standards required as a basis for the creation of this centre area. In particular, on-street parking will be permitted and may be

utilized to meet parking standards for commercial and other non-residential development, and in such circumstances, live/work buildings may require no additional parking for the “work” component.

- The Town will require that a variety of building types be developed throughout the Neighbourhood Centre Area land use category in each neighbourhood. The location of building types shall be controlled through the zoning by-law. In this context, notwithstanding the permitted uses and maximum permitted density and height, consideration may be given by the Town to limited areas of housing, which may include public, convenience commercial or similar uses on the ground floor, with a minimum density of 150 units per net hectare and a maximum density of 250 units per net hectare located in proximity to the Core Preserve Area. However, the Town shall be satisfied that the development is appropriate to the context and may require the submission of studies, models and/or plans which address that consideration. In addition, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.

7.6.7.2 General Urban Area

a) Purpose

The General Urban Area land use category on Appendix 7.3 is intended to accommodate a range of low and medium density residential development.

b) Permitted Uses, Buildings and Structures

- The permitted uses shall be low and medium density residential uses and home occupation and home business uses.
- Permitted uses shall be located in low or medium density residential buildings.

c) Land Use Policies

- A mix of housing types shall be permitted at the following heights and densities:
 - Minimum density - 25 units per net hectare;
 - Maximum density - 75 units per net hectare; and,
 - Maximum height - 3 storeys.
- The Town will require that a variety of residential building types be developed throughout the General Urban Area designation in each neighbourhood. The location of building types shall be controlled through the zoning by-law. In this context, notwithstanding the minimum density, consideration may be given by the Town to limited areas of housing at a minimum density of 20 units per net hectare in areas abutting the Core Preserve Area designation or other significant open space features. In this addition, notwithstanding the permitted uses and maximum permitted density and height, the Town may also give consideration to limited areas of housing with a minimum density of 75 units per net hectare and a maximum density of 250 units per net hectare located in proximity to the

Core Preserve Area and to the Neighbourhood Centre Area. However, the Town shall be satisfied that the development is appropriate to the context and may require the submission of studies, models and/or plans which address that consideration. In addition, with respect to any development which results in a density exception, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.

- Home occupations and home businesses shall be permitted in dwellings and accessory buildings in accordance with the regulations of the zoning by-law.
- The zoning by-law shall establish minimum and maximum setbacks, and implement densities and other standards to ensure that development achieves the minimum standards required as a basis for the creation of this residential area.
- Village squares may also be permitted within the General Urban Area designations subject to the provisions of Section 7.6.13.

7.6.7.3 Sub-urban Area

a) Purpose

The Sub-Urban Area land use category on Appendix 7.3 is intended to accommodate a range of low density residential development.

b) Permitted Uses, Buildings and Structures

- The permitted uses shall be low density residential uses and home occupation and home business uses.
- Permitted uses shall be located in low density residential buildings.

c) Land Use Policies

- Residential uses, which shall primarily consist of single, semi-detached and duplex residences, shall be permitted at the following heights and densities:
 - Minimum density – 15 units per net hectare;
 - Maximum density – 35 units per net hectare; and,
 - Maximum height – 3 storeys.
- Notwithstanding the minimum density, consideration may be given by the Town to some very limited areas of housing at a minimum density of 10 units per net hectare in areas abutting the Core Preserve Area designation or other significant open space features. However, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.
- Home occupations and home businesses shall be permitted in the dwelling and accessory buildings in accordance with the regulations of the zoning by-law.
- Village squares may also be permitted within the Sub-urban Area

designations subject to the provisions of Section 7.6.13;

7.6.12 NEIGHBOURHOOD PARK AREA

7.6.12.1 Purpose

The Neighbourhood Park Area designation on Figure NOE2 is a conceptual designation which is intended to identify the general location of Neighbourhood Parks. It applies to parkland which provides a variety of outdoor recreational experiences and which serve one or more neighbourhoods. Typically, these parks will contain creative playground apparatus, sports fields and other recreation facilities which may be illuminated, a park building with washrooms, as well as general use open space and seating areas. Generally, Neighbourhood Parks will be maintained as active parkland, although there may be areas which are maintained as natural, passive parkland.

7.6.12.2 Permitted Uses, Buildings and Structures

The main permitted uses shall be the range of active and passive recreation uses appropriate to the neighbourhood scale ranging from sports fields, splash pads, tennis courts, seating areas and nature viewing. Accessory parking areas shall also be permitted.

7.6.12.3 Land Use Policies

- a) Ten Neighbourhood Parks will be provided in North Oakville East. The conceptual designation of Neighbourhood Parks on Figure NOE2 will be refined during the preparation of detailed plans of subdivision. The Town shall carry out a Parks Facilities Distribution Plan as set out in Section 7.7.4.2 to determine the function and facilities which will be developed for each park. Where a Neighbourhood Park is not developed on all or a portion of a particular site, uses permitted in the underlying land use designation on Figure NOE2 shall be permitted.
- b) The size and configuration of each park shall be consistent with the policies of the Town and this Plan. Neighbourhood Parks shall generally meet the following criteria:
 - Walk to and/or drive to facilities;
 - Designed and located to be well served by transit facilities;
 - Generally located within neighbourhood boundaries as shown on Figure NOE1;
 - Approximately 4.25 ha in size with a minimum of 2 major sports fields, but may range from 4.0 ha. to 4.5 ha.
- c) Whenever possible, to minimize impacts on residential development, Neighbourhood Parks shall be:
 - located adjacent or abutting non-residential uses including elementary school sites, places of worship, commercial development and/or Core or Linkage Preserve Areas, and,

- designed to mitigate the impacts of activities which generate light and noise on residential properties through the use of measures such as separation distances within the park, directional lighting and buffering such as landscaping and fences.

7.6.13 VILLAGE SQUARE AREA

7.6.13.1 Purpose

The Village Square Area designation on Figure NOE2 is a conceptual designation that represents a general location for generally passive open space areas which are intended to serve as focal points for portions of a neighbourhood.

7.6.13.2 Permitted Uses, Buildings and Structures

The main permitted uses shall include a range of active and passive recreation uses from gazebos, seating areas, and nature viewing to junior playgrounds and areas for unorganized recreational and leisure activities.

7.6.13.3 Land Use Policies

- a) Approximately 30 Village Squares will be provided in North Oakville East, and where they are in public ownership, Urban Squares in the Trafalgar Urban Core Area, with the total number related to the ultimate size of individual facilities. The exact location and configuration of Village Squares on Figure NOE2 will be established during the preparation of plans of subdivision or other development plans. The Town shall carry out a Parks Facilities Distribution Plan as set out in Section 7.7.4.2 to determine the function and facilities which will be developed for each Village Square. Where a Village Square is not developed on all or a portion of a particular site, uses permitted in the underlying land use designation on Figure NOE2 shall be permitted.
- b) Village Squares shall generally meet the following criteria:
 - Walk to facilities;
 - Approximately 0.3 hectares in size with a tot lot and other passive recreational facilities, but may be larger or smaller depending on the location and facilities accommodated, but will have a maximum area of 0.5 ha, except for one larger Village Square that will be provided in Neighbourhood 14 which will be no more than 1.0 hectare in area.

7.9.4 LANDOWNERS AGREEMENT(S)

In order to ensure the appropriate and orderly development of the Secondary Plan area, and to ensure the costs associated with the development of the Secondary Plan are equitably distributed among all landowners, development within the Secondary Plan area shall only be permitted to proceed when a significant number of landowners in the Secondary Plan area have entered into a cost sharing agreement or agreements amongst themselves to address the distribution of costs associated with development in a fair and equitable manner. Individual developments in the Secondary Plan area shall generally not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.



THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW NUMBER 2024-090

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as 1086 Burnhamthorpe Road East (Rampen Holdings Inc.) – Z.1310.18

COUNCIL ENACTS AS FOLLOWS:

1. Map 12(6) of By-law 2009-189, as amended, is further amended by rezoning the lands as depicted on Schedule ‘A’ to this By-law.
2. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Special Provision 101 as follows:

101	Mattamy (Joshua Creek) Limited	Parent Zone: GU
Map 12(6)	Part of Lots 7, 8 and 9, Concession 1, NDS	(2021-040) (2021-046) (2023-036) (2024-090)
	Argo (Joshua Creek) Developments Ltd. Part of Lot 8, Concession 1, NDS	
	Rampen Holdings Inc. 1086 Burnhamthorpe Road East	

3. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Special Provision 128 as follows:

128	Mattamy (Joshua Creek) Limited	Parent Zone: S
Map 12(6)	Part of Lot 8 & 9, Concession 1, NDS	(2023-036) (2024-090)
	Rampen Holdings Inc. 1086 Burnhamthorpe Road East	

4. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by amending the header to Special Provision 131 as follows:

131	Mattamy (Joshua Creek) Limited Part of Lot 8 & 9, Concession 1, NDS Rampen Holdings Inc. 1086 Burnhamthorpe Road East	Parent Zone: GU
Map 12(6)		(2023-036) (2024-090)

5. Section 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 9.62 as follows:

H62	Rampen Holdings Inc. 1086 Burnhamthorpe Road East	Parent Zone: GU and S
Map 12(6)		(2024-090)

9.62.1 Only Permitted Uses Prior to Removal of the “H”	
For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :	
a)	Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i> .
9.62.2 Conditions for Removal of the “H”	
The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the <i>Town</i> passing a By-law under Section 36 of the <i>Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton:	
a)	That the Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.
b)	That the Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.
c)	That the Owner shall have made all required payments associated with the Allocation Program.
d)	That the Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.
e)	That the external local watermains and sanitary sewer extensions that are proposed on the lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton.
f)	That the proposed Street “K” on the easterly abutting lands (24T-20007/1307) is constructed and registered, providing a connection to the proposed Street “E” on the subject lands (24T-22009/1310).

6. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

PASSED this 8th day of July, 2024

MAYOR

CLERK



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: July 8, 2024

FROM: Planning Services Department

DATE: June 25, 2024

SUBJECT: Recommendation Report, Draft Plan of Subdivision and Zoning By-law Amendment, Spruce Rose Inc., 304 & 318 Spruce Street – File Nos. 24T-24003/1613 and Z.1613.66

LOCATION: 304 & 318 Spruce Street

WARD: Ward 3

Page 1

RECOMMENDATION:

1. That the Draft Plan of Subdivision and Zoning By-law Amendment applications by Spruce Rose Inc. for 304 & 318 Spruce Street (File Nos. 24T-24003/1613 and Z.1613.66) be refused as proposed;
2. That if the application is appealed to the Ontario Land Tribunal, town staff use the appeal process to attempt to mediate issues affecting zoning regulations and development standards, to the satisfaction of the Director of Planning and Town Solicitor;
3. That the notice of Council's decision reflects that Council has fully considered all of the written and oral submissions relating to these matters and that those comments have been appropriately addressed; and
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS:

The following are key points for consideration with respect to this report:

- **Nature of the Application:** The applicant has applied for a Zoning By-law Amendment and Draft Plan of Subdivision to permit the creation of seven

residential lots. The proposed Zoning By-law amendment, if approved, would implement the development.

- **Proposal:** The proposed development consists of seven detached dwellings with attached garages and individual driveways from Spruce Street and Reynolds Street. This proposal includes rezoning the land from *CU – Community Use* to *RL5 – Residential Low 5* with site-specific regulations for minimum front yard setbacks and maximum lot coverage.
- **Location:** The subject property is located at the southeast corner of Spruce Street and Reynolds Street and is municipally known as 304 & 318 Spruce Street.
- **Policy Context:** The subject property is located within *Schedule G: South East Land Use* plan and is designated as *Low Density Residential* in the Livable Oakville Plan which permits a density of up to 29 units per site hectare. The applicant’s proposed density is 17.1 units per site hectare.
- **Zoning:** The subject property is currently zoned *Community Use (CU)* in the Zoning By-law 2014-014, which permits uses such as place of worship, art gallery, daycare, public school, and emergency shelter etc., and does not permit detached dwellings.
- **Housing Pledge:** on March 20, 2023, Council approved Oakville’s Housing Pledge to facilitate the delivery of 33,000 new housing units by 2031/2032, which aims to accelerate the delivery of housing over the next ten years.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting (“PIM”) was held on September 19, 2023. It was attended by 34 participants, including members of the public, applicants, Town staff, and Ward 3 Councillors. At the time of the writing of this report, staff have received seven written submissions which are included within Appendix “B”. Staff received six oral submissions at the Statutory Public Meeting on May 21, 2024 which are discussed later in this report.
- **Timing:** The application was deemed complete on April 12, 2024. A Statutory Public Meeting was held on May 21st, 2024. The *Planning Act* provides for a 90-day timeline for Council to make a decision on the application (July 11, 2024), failing which the applicant can appeal for a non-decision. Staff are bringing forward a Recommendation Report for Council’s consideration to allow Council to make a decision prior to the expiry of the 90 day timeline.

- **Staff Recommendation:** Staff is of the opinion that the detached dwelling land use is appropriate for the subject site and is consistent with the Provincial Policy Statement and the Growth Plan. However, the development as proposed is not consistent with the Town's Official Plan as it is not compatible with the character of the neighbourhood.

Staff is of the opinion that the proposal does not align with the surrounding neighbourhood character and the heritage attributes of the surrounding heritage properties. The built form, massing and scale of the proposed dwellings as well as lot configuration of the proposed lots are considered inappropriate for the site given the surrounding context. Specifically, the proposed dwellings have a massing and scale inconsistent with the surrounding RL3-0; SP:10 zone, and the RL5-0 zone within the Trafalgar Road Heritage Conservation District.

For these reasons, staff recommend refusing the applications for the Zoning By-law Amendment and Draft Plan of Subdivision as submitted.

If the application is appealed, staff will use the appeal process to attempt to mediate the zoning regulations and development standards through revisions to the draft plan, draft plan conditions, and draft zoning by-law.

BACKGROUND:

The purpose of this report is to provide a full staff review of the applications and provide a recommendation on the proposed Draft Plan of Subdivision and Zoning By-law Amendment for 304 & 318 Spruce Street.

The subject site has operated as a place of worship since the 1950s. Additionally, a portion of the parcel includes a detached dwelling with a detached garage. The property was recently sold to the current owner, who plans to redevelop the site for seven detached dwellings.

The lands are legally described as - Part of Block A, Registered Plan 121, and are part of the 1909 subdivision known as the “Brantwood Annex”. The subdivision created a variety of angular lots with approximately 15.24m (50ft) of frontage along Spruce Street, Allen (now Allan) Street and Division Street (Now MacDonald Road) as shown in Figure 1 below.

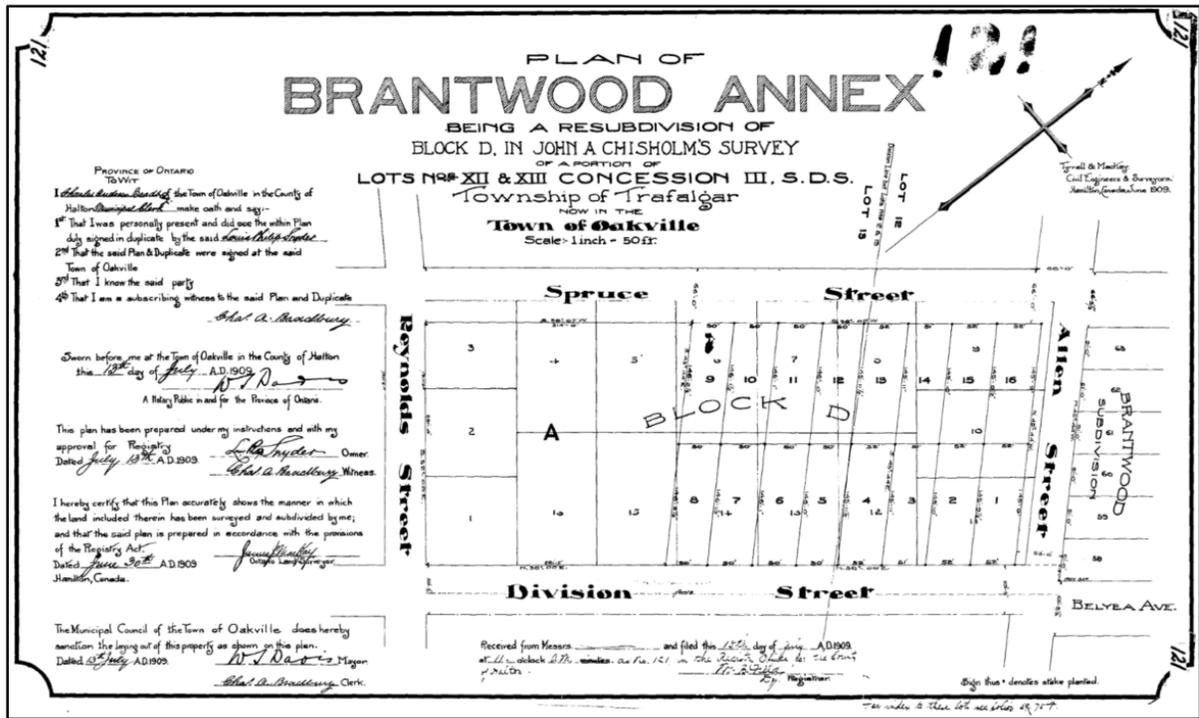


Figure 1 – Registered Plan 121 – Plan of Brantwood Annex

The subject site was further subdivided in 1990 into three parts through the Reference Plan 20R-10208 shown in Figure 2 below, consisting of the place of worship (Part 1), an access (Right of Way) easement (Part 2) for the property to the south (i.e. 311-313 MacDonald Road), and a new lot to the east (Part 3) consisting of a two storey detached dwelling.

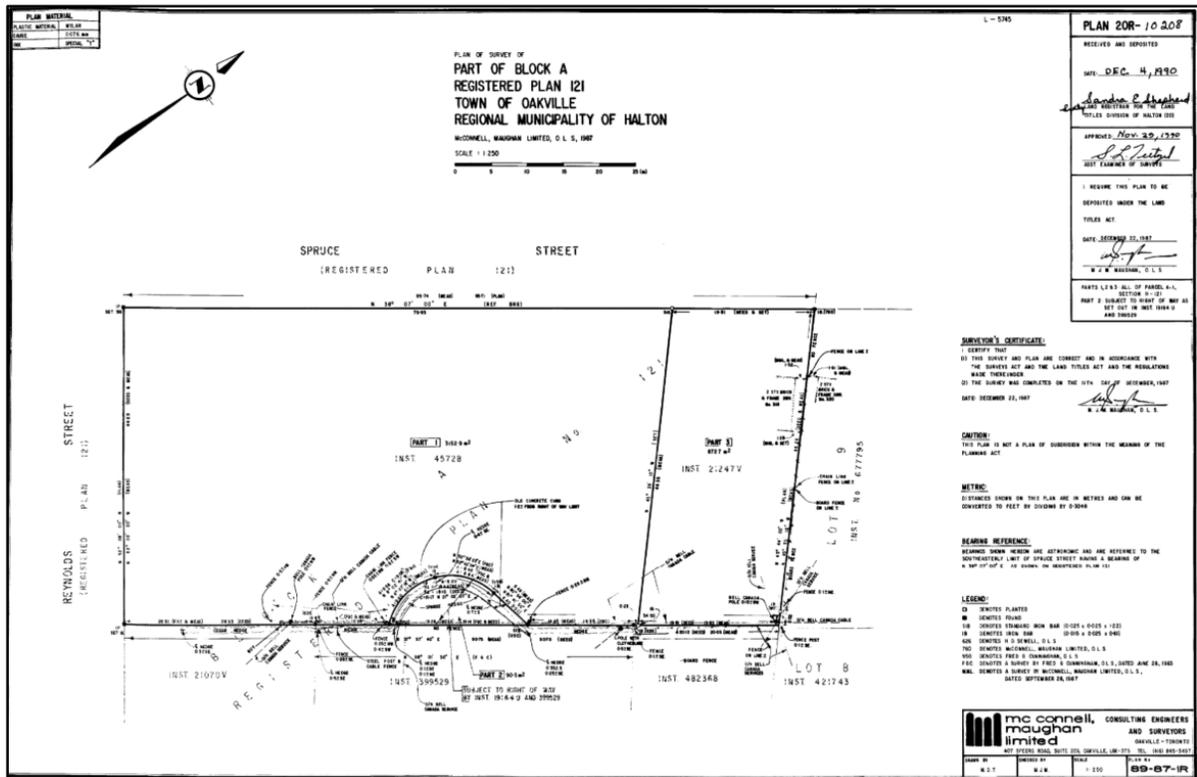


Figure 2 – Reference Plan – 20R-10208

Housing Pledge and Strategy

Over the past few years, provincial initiatives such as the More Homes Built Faster: Ontario’s Housing Supply Action Plan: 2022-2023, and resulting legislation (e.g. Bill 109, Bill 23, Bill 97) have been enacted to address Ontario’s housing crisis by increasing the supply of housing.

On March 20, 2023, Council approved Oakville’s Housing Pledge to facilitate the delivery of 33,000 new housing units by 2031/2032, which aims to accelerate the delivery of new housing in appropriate locations over the next ten years. Most of the new housing through the Housing Pledge is to be accommodated within Strategic Growth Areas such as Midtown Oakville.

Key Milestones

Pre-Consultation Meeting	July 19, 2023
Public Information Meeting	September 19, 2023
Application Submitted	April 12, 2024
Application Deemed Complete	April 12, 2024
P & D Council - Public Meeting	May 21, 2024
P & D Council – Recommendation Report	July 8, 2024

Date Eligible for Appeal	July 12, 2024
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Proposal

The applicant proposes to develop seven detached dwellings through a Draft Plan of Subdivision (shown in Figure 3 below) with attached two-car garages and individual driveways onto Spruce Street and Reynolds Street, as shown in Figure 4 below. The subdivision consists of seven lots for detached dwellings with lot frontages ranging from 14.0m to 17.19m, and one block for a daylight triangle. The proposed renderings of the seven detached dwellings are attached as Appendix “A”.

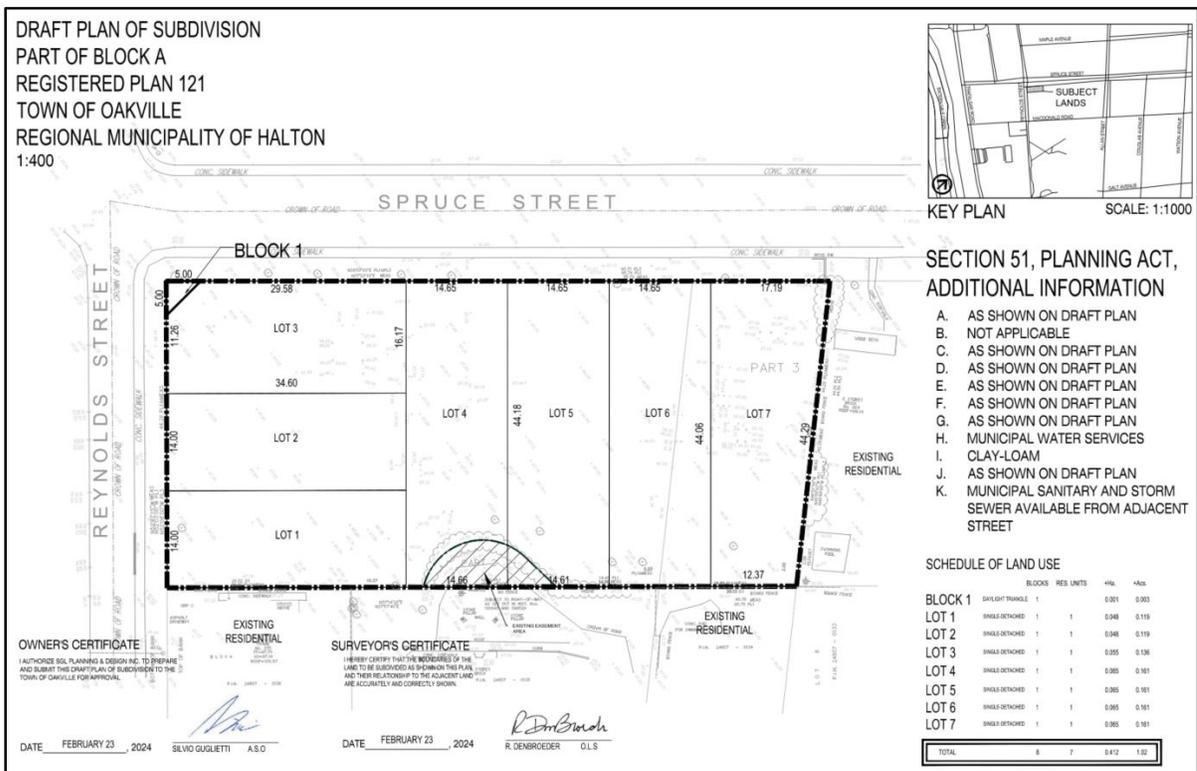


Figure 3 – Proposed Draft Plan of Subdivision

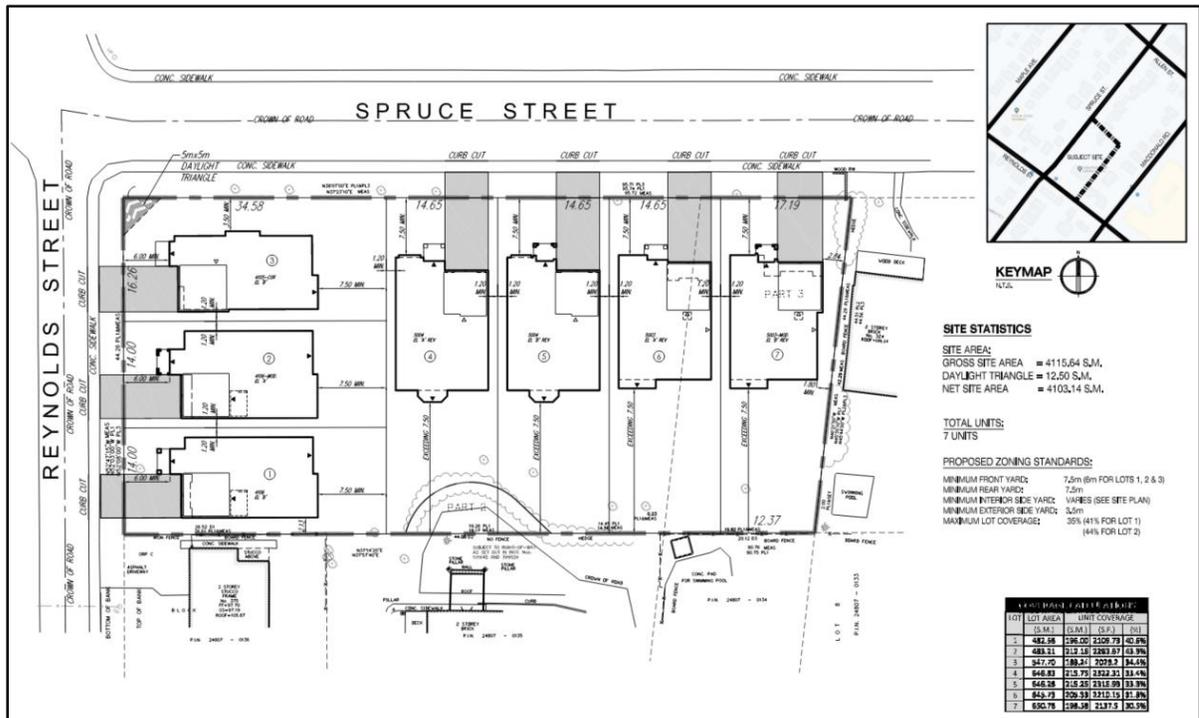


Figure 4 – Proposed building siting

Figure 5 below shows the proposed streetscape for the subject site for both Spruce and Reynolds Street.



Figure 5 – Streetscape Plan

The applicant proposes to rezone the subject site from Community Use (CU) to Residential Low 5 (RL5) Zone with site specific provisions for lot coverage and front yard setback on the subject site to permit seven detached dwellings as proposed.

Location & Site Description

The subject lands are located at the southeast corner of Spruce Street and Reynolds Street and is 0.4115 ha in area with approximately 95.72m of frontage on Spruce Street and 44.26m of flankage on Reynolds Street (Figure 6). The legal description of the lands is Part of Block A, Registered Plan 121. The municipal address is 304 & 318 Spruce Street.

The subject lands include a church with a fenced children’s play area, two sheds, associated surface parking, and a two-storey detached dwelling with a detached garage. The church has been on the property since the 1950s and was recently sold to the current owner who plans to redevelop the site.

Reynolds Street is classified as a “Minor Arterial” road, while Spruce Street is classified as a “Local” road in the Official Plan. The subject site consists of sidewalks along both the Spruce Street and Reynolds Street frontages. Additionally, there are municipal and private trees along right-of-way of both streets.

The subject lands adjacent to the Trafalgar Road Heritage Conservation District which is located to the west of the subject lands which consists of properties designated under the *Ontario Heritage Act*.

Surrounding Land Uses

The surrounding area consists of various styles and sizes of detached dwellings, ranging from single-storey to two-and-a-half storey structures, encompassing both original and newly constructed buildings.

The surrounding uses are as follows:

North – Properties to the north are detached dwellings with many dwellings listed as properties of cultural heritage value such as 395 Reynolds Street and 321 Spruce Street which are located immediately to the north of the subject lands. Further north of Cornwall Road is the Midtown Oakville Growth Area with existing commercial land uses.

East – Properties to the east are detached dwellings with many dwellings listed as properties of cultural heritage value or designated under Part IV of the *Ontario Heritage Act*. 324 Spruce Street located immediately to the east of the subject lands is listed as a property of cultural heritage value.

South – Properties immediately to the south are detached dwellings with 311-313 MacDonald Road intended to be designated, and 323 MacDonald Road designated under Part IV of the *Ontario Heritage Act*. Further south is the former Oakville-Traflagar Memorial Hospital site which is planned to be redeveloped as low and medium density residential as well as parks and open space.

West – West of the subject lands is the Trafalgar Road Heritage Conservation District with properties designated under Part IV or Part V of the *Ontario Heritage Act*. These include 388 Reynolds Street, 384 Reynolds Street, and 376 Reynolds Street which are located immediately to the west and are designated under Part V of the *Ontario Heritage Act*. Further to the west of Trafalgar Road is the Sixteen Mile Creek.



Figure 6 – Aerial Photo

PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020);
- Growth Plan for Greater Golden Horseshoe (2019);
- Halton Region Official Plan;
- Livable Oakville Official Plan; and
- Zoning By-law 2014-014.

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ('PPS'), which came into effect on May 1, 2020, continues to recognize that there are complex relationships among environmental, economic, and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

Further, the PPS (2020) promotes the integration of land use planning, growth management and transit supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The PPS (2020) Section 1.7.1.e) notes that long-term economic prosperity should be supported by "promoting well defined built form", and "by conserving features that help define the character, including *built heritage resources*". Section 2.6.3 provides that development and site alterations on lands adjacent to protected heritage properties are not permitted except where the proposed development has been evaluated and demonstrates that the heritage attributes will be conserved. The subject site is located adjacent to the Trafalgar Road Heritage Conservation District (TRHCD). There are also properties of cultural heritage value to the north, east and south of the subject site. Staff is of the opinion that the subject site does not demonstrate the conservation of heritage attributes of the adjacent and surrounding properties of cultural heritage value.

The Town's Official Plan reflects this provincial direction by having policies in Section 5 to conserve the cultural heritage resources so that they may be experienced and appreciated by existing and future generations, and enhance the Town's sense of history and community. Section 5.1.1.a) states notes the conservation of "*cultural heritage resources through available powers and tools and*

ensure that all new development and any site alteration conserve cultural heritage resources” as one of the objectives of the Cultural Heritage policies within Section 5 of the Town’s Official Plan. In staff’s opinion the design and the requested zoning by-law modifications does not implement the objectives and policy direction of Section 5.

Section 4.6 of the PPS (2020) states that the Official Plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. The proposed development is not consistent with the policies of the Town’s Official Plan as discussed later in this report.

It is staff’s opinion that the proposal is generally consistent with the PPS with the exception of Section 2.6.3 as the proposal does not adequately demonstrate conservation of heritage attributes of the surrounding heritage properties and the adjacent Trafalgar Road Heritage Conservation District.

Growth Plan

The Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’) is a long-term plan that intends to manage growth, build complete communities, curb sprawl, and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The subject lands are located within the “Built-Up Area”.

The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

The Growth Plan promotes conservation of cultural heritage resources to support the social, economic, and cultural well-being of all communities (policy 1.2.1), and to foster a sense of place and benefit communities (policy 4.2.7.1). The proposed development does not adequately demonstrate conservation of heritage attributes of the surrounding heritage properties and the adjacent Trafalgar Road Heritage Conservation District.

The Growth Plan provides for the implementation of the minimum intensification and density targets through municipalities urban design and site design official plan policies to develop high quality public realm and compact built form (policy 5.2.5.6). It also notes that any development within the boundaries of the delineated built-up

areas is subject to the relevant provincial and municipal land use planning policies and approval processes (policy 5.2.5.8).

Staff is of the opinion that the proposed development generally conforms to the Growth Plan with the exception of policy 4.2.7.1 as it does not adequately demonstrate conservation of heritage attributes of the surrounding heritage resources and the adjacent Trafalgar Road Heritage Conservation District.

Halton Region Official Plan

The subject lands are designated 'Urban Area' as shown on Map 1: Regional Structure of 2009 Regional Official Plan (ROP).

Section 72.1(1)-(3) of the Urban Area policies support the development of vibrant and healthy mixed use communities that afford maximum choices for residence, work and leisure. Policy 76 states that the range of permitted uses and the creation of new lots in the Urban Area will be per the Local Official Plans and Zoning By-laws. The development is located within the Built Boundary. All development is subject to the policies and plan in effect.

The Cultural Heritage policies of the Region of Halton Official Plan state:

“165. The goal for Cultural Heritage Resources is to protect the material, cultural and built heritage of Halton for present and future generations.

166. The objectives of the Region are”

- 1. To promote awareness and appreciation of Halton’s heritage.*
- 2. To promote and facilitate public and private stewardship of Halton’s heritage.*

167. It is the policy of the Region to:

- 1. Maintain, in conjunction with the Local Municipalities, local historical organizations, and municipal heritage committees a list of documented Cultural Heritage Resources in Halton.*
- 2. Encourage the Local Municipalities to prepare, as part of any Area-Specific Plan or relevant Official Plan amendment, an inventory of heritage resources and provide guidelines for preservation, assessment and mitigative activities.”*

Based on the above policies, the Region of Halton relies on the local municipalities to preserve its cultural heritage resources. While the proposed development is not within the Trafalgar Road Heritage Conservation District (TRHCD), it is located

immediately to the east of the TRHCD. There are also properties of cultural heritage value to the north, east, and south of the subject lands that are part of the neighbourhood character. The Section 5 of the Official Plan notes policies to preserve the cultural heritage resources to ensure it can be experienced by the existing and future generations as discussed earlier in this report.

While the proposed development does not adequately demonstrate compatibility with the existing and surrounding cultural heritage resources as per the Town's Official Plan, staff is of the opinion that the proposal to establish detached dwellings as a use conforms with the Regional Official Plan.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011. The Livable Oakville Plan is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

Urban Structure

Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. Official Plan Amendment 15 to the Livable Oakville Plan, confirms the Town's existing urban structure in terms of nodes and corridors, where higher intensity forms of mixed use growth are to be accommodated. OPA 15 was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS.

The subject lands are identified on Schedule A1 – Urban Structure as being within the Town's 'Residential Areas'. The Residential Areas include low, medium and high density residential uses as well as range of compatible facilities such as places of worship, recreational and neighbourhood commercial uses that serve the residents. Section 3.9 of Livable Oakville allows some growth and change in Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

Section 4.3 notes that while the primary focus of Livable Oakville is to accommodate intensification within Growth areas, some growth and change may occur in established residential communities outside of the Growth Areas, provided the character of the areas is preserved.

Livable Oakville Land Use Policies

The subject lands are designated *Low Density Residential* on Schedule G: South East Land Use Plan (shown on Figure 7 below).

The *Low Density Residential* designation permits a range of low density housing types including detached dwellings, semi-detached dwellings and duplexes. This designation permits a density of 29 dwelling units per site hectare.

The applicant's proposal results in a density of 17.1 units per site hectare.

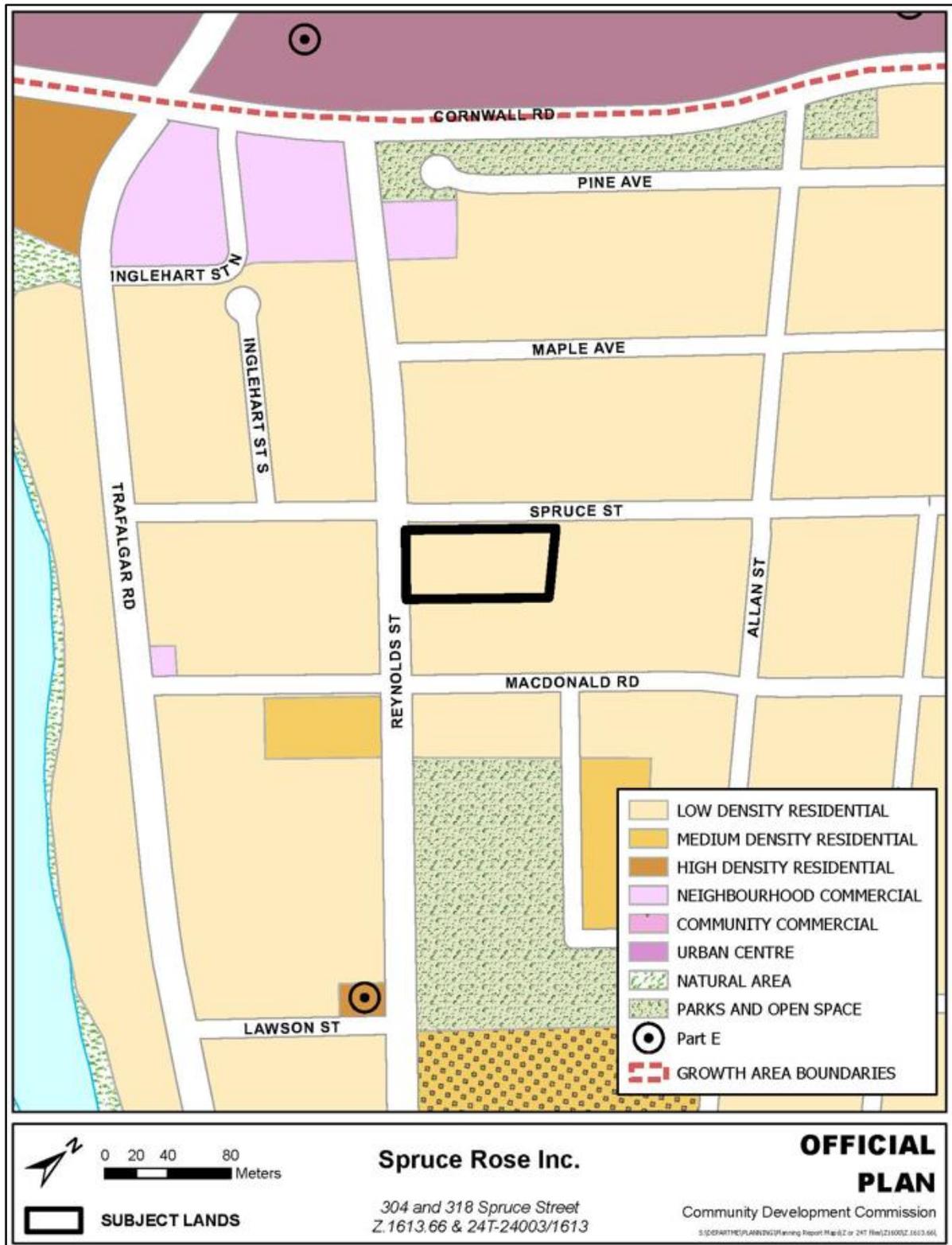


Figure 7– Official Plan Extract

The Official Plan provides for a variety of residential uses through three land use designations: Low, Medium, and High Density Residential. In general, development within all residential areas shall maintain, protect, and enhance the character of existing residential areas and encourage an appropriate mix of housing types, densities, design and tenure. While the proposed development is appropriate in terms of density and housing type for the subject site, the proposed built form is incompatible with the surrounding neighbourhood in terms of massing, scale and height that negatively impact the character of the neighbourhood.

While the majority of the intensification and development is to be directed to the Town's Strategic Growth Areas, some intensification can be accommodated within residential areas subject to the policies of 11.1.8 and 11.1.9. All intensification within these areas will be evaluated using the criteria that maintain and protect the existing neighbourhood character. These include, but are not limited to, ensuring the built form is compatible with the surrounding neighbourhood, minimizing the impacts such as shadowing, privacy, access, and grading. Section 11.1.9 notes that the proposed development is to be compatible with the adjacent properties and the surrounding neighbourhood in terms of scale, height, massing, architectural character, setbacks and separation distances.

Compatible is defined in the Official Plan as "*development or redevelopment of uses which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without unacceptable adverse impacts.*" Staff is of the opinion that the development as proposed would cause unacceptable adverse impacts on adjacent and surrounding properties in terms of shadowing, and privacy loss. It also poses a risk of undermining the existing built form character of the neighbourhood by introducing height, scale, and massing that is not found in the surrounding dwellings and cultural heritage resources. If the applicant provides a built form that is more harmonious with the surrounding neighbourhood in terms of massing and scale with reduced lot coverage and height, the proposed development would better align with the policies of the Official Plan.

Livable Oakville Cultural Heritage Policies

The proposal has also been evaluated against Section 5 (Cultural Heritage) of the Official Plan. This section promotes the conservation of cultural heritage resources and landscapes so that they may be experienced and appreciated by existing and future generations. One of the objectives of the Cultural Heritage policies is to conserve cultural heritage resources through available tools and powers and to ensure new development and site alteration conserve cultural heritage resources (Section 5.1.1.a).

Section 5.3.5 states that "*Heritage Conservation Districts and cultural heritage landscapes on Appendix 1 shall be conserved through the careful consideration of*

any proposals for change within their boundaries, on adjacent lands, or in their immediate vicinity. In reviewed proposals for construction, demolition, relocation, removal or for alteration within, adjacent to, or or in the immediate vicinity of a Heritage Conservation District or cultural heritage landscape identified on Schedule A1, the Town will be guided by the applicable Heritage Conservation District Plan or cultural heritage landscape conservation plan.”

Section 5.3.7 notes that the “Town may impose, as a condition of any development approvals, the implementation of appropriate measures to ensure the conservation of any affected cultural heritage resources, and where appropriate, their integration into new development.”

Livable Oakville Urban Design Policies

Section 6 (Urban Design) of Livable Oakville notes that the urban design policies will be implemented through design documents such as the Design Guidelines for Stable Residential Communities (Section 6.1.2.c). It states that “*buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping, and signage.*” (Section 6.9.1).

It notes that the building’s design and placement should be compatible with the surrounding context (Section 6.9.2). New development shall ensure the proposed buildings’ heights and forms are compatible with adjacent existing development (Section 6.9.9).

The proposal has also been evaluated against Section 8 (Transportation) and Section 10.10 (Stormwater Management) of the Livable Oakville Plan. Staff note that the detached dwelling use complies with the Official Plan’s *Low Density Residential* designation. However, the applicant has not adequately demonstrated that the proposed development implements the Official Plan Policies of Section 11.1.9., Section 5, and Section 6.

Staff is of the opinion that the proposal does not conform to the policies of the Official Plan and on this basis, staff recommend that Council refuse the applications as submitted.

Zoning By-law

The subject lands are currently zoned *Community Use (CU)*, as shown on Figure 9 below which permits the existing Place of Worship on the site. Since the CU Zone does not permit detached dwellings, a Zoning By-law Amendment is required to permit the proposed development. To facilitate development of seven detached dwellings, the applicant seeks to rezone the subject site from *Community Use (CU)* to *Residential Low 5 (RL5)* with site-specific provisions for Lots 1, 2 & 3. Table 1

below compares the proposed RL5 Zone with proposed site-specific provisions to the standard RL5 Zone provisions, as well as zone regulations applicable to the surrounding properties i.e. RL5-0 Zone to the west of the subject lands, and RL3-0; SP10 Zone to the north, east and south of the subject lands.

	Proposed RL5	RL5	RL5-0	RL3-0; SP10
Max. Lot Coverage	35%; 44% for Lots 1 & 2	35%	35%	19% for two-storey detached dwelling
Min. Front Yard	7.5m; 6m for Lots 1-3	7.5m	Legally existing less 1m	Legally existing less 1m
Max. Height	12.0m	12.0m	9.0m	9.0m
Min. Lot Area	464.5 m ²	464.5 m ²	464.5 m ²	557.5 m ²
Min. Interior Side Yards	2.4m & 1.2m (with attached garage)	2.4m & 1.2m (with attached garage)	2.4m & 1.2m (with attached garage)	1.8m for two-storey detached dwelling with attached garage

Table 1 – Comparison of proposed Zoning standards with RL5, RL5-0 and RL3-0; SP10

The properties surrounding the subject site to the north, east, and south are zoned Residential Low 3-0 (RL3-0), Special Provision 10 (SP10). The properties to the west across Reynolds Street are zoned Residential Low 5-0 (RL5-0). The Zones with -0 suffix are subject to additional regulations for residential floor area, lot coverage, minimum and maximum front yard, main wall proportionality, balcony and deck prohibition, and height as per Section 6.4 of the Zoning By-law 2014-014.

The -0 Suffix Zone framework was established to control the size, massing, scale, balconies, and impact of new detached dwellings as well as additions to dwellings to protect the physical character of the established residential neighbourhoods. The subject site is surrounded by -0 suffix zones of RL3-0; SP10 and RL5-0 on all sides. The proposed Zoning By-law amendment chooses to eliminate the 0-suffix zone framework and therefore does not adequately incorporate the design elements and zoning standards that would protect the physical character of the adjacent and surrounding dwellings.

The maximum height requirement within the -0 suffix zones is 9m while the maximum height requirement within RL5 zone is 12m. The heights currently proposed for the seven detached dwellings range from 9.96m to 10.63m. The

maximum lot coverage requirement of 35% is the same for both RL5-0 & RL5 zones. The maximum lot coverage proposed for the detached dwellings ranges from 30.5% to 43.9%. It is noted that there are dwellings in the neighbourhood that predate the Zoning By-law 2014-014. Notwithstanding, most existing older dwellings have heights and lot coverages that are predominantly less than the proposed heights and lot coverages. Staff was not able to evaluate the residential floor area (RFA) for the proposed development due to insufficient information provided by the applicant. The proposed dwellings comply with the main wall proportionality requirement and balcony and deck prohibition within the Section 6.4 of the Zoning By-law 2014-014.

The Special Provision 10 (SP10) provides for additional regulations beyond the -0 Suffix regulations towards the north, east, and south of the subject site. These additional regulations are for maximum lot coverage based on number of storeys, maximum lot depth, garage floor area, and interior side yards based on the number of storeys and the location of the private garage as shown in Figure 8 below.

10	Former Detached Dwellings R10 Zone	Parent Zone: RL3-0
Map 19(8)	(Part of Lot 11, Concession 4 S.D.S. and Part of Lots 12 and 13, Concession 3 S.D.S.)	(1984-49) (1989-209) (1999-78) (2016-013)
15.10.1 Zone Provisions		
The following regulations apply:		
a)	Maximum <i>lot coverage</i> for a <i>dwelling</i> having one <i>storey</i>	25%
b)	Maximum <i>lot coverage</i> for a <i>dwelling</i> having one and one half <i>storeys</i>	22%
c)	Maximum <i>lot coverage</i> for a <i>dwelling</i> having two <i>storeys</i>	19%
d)	Minimum <i>lot depth</i>	30.0 m
e)	Maximum total <i>floor area</i> for a <i>private garage</i>	38.0 sq.m
f)	Minimum <i>interior side yard</i> for a <i>detached dwelling</i> having one and one half <i>storeys</i> and an attached <i>private garage</i>	1.5 m on both sides
e)	Minimum <i>interior side yard</i> for a <i>detached dwelling</i> having two <i>storeys</i> and an attached <i>private garage</i>	1.8 m on both sides

Figure 8 – Special Provision 10 (SP10)

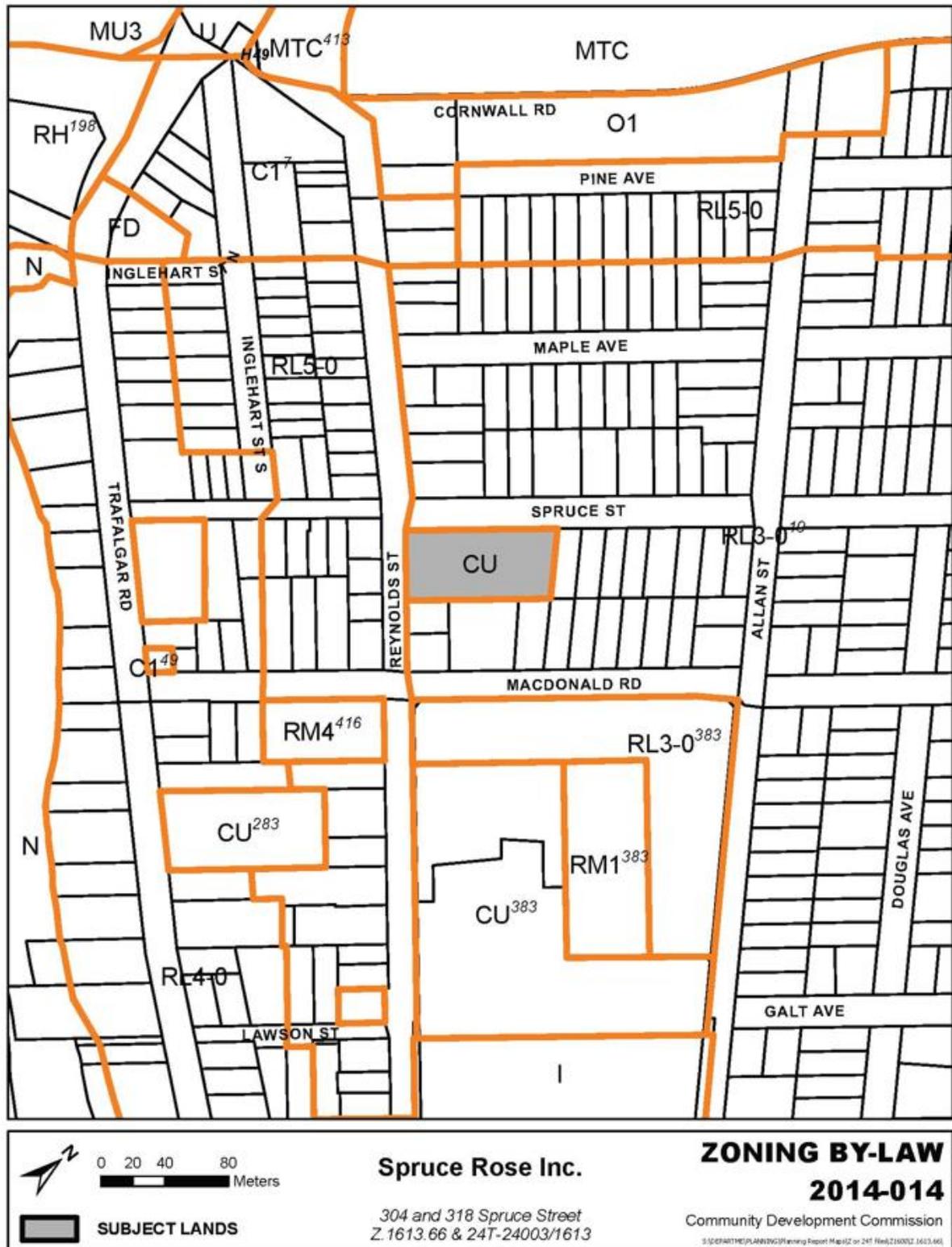


Figure 9 – Zoning By-law

Applicant’s Proposed Zoning By-law

The applicant’s draft by-law includes the following site specific provisions with the proposed RL5 Zone:

X	Spruce Rose Inc.	Parent Zone: RL5
Map 19(8)	304 & 318 Spruce Street	(2024-XXX)
15.XX.1 Zone Provisions		
The following additional regulations apply to all lands identified as subject to this Special Provision:		
a)	Minimum front yard	6.0 metres for Lots 1 to 3 fronting onto Reynolds Street
b)	Maximum lot coverage	44% for Lots 1 and 2 fronting onto Reynolds Street

Figure 10 – Applicant’s draft Zoning By-law with Site Specific Provisions

Special Provision 10, as shown in the figure above, states the maximum lot coverage for two-storey dwellings is 19%. The proposed lot coverage for the proposed lots range from 31.8% to 43.9% as shown in the Figure 11 below:

COVERAGE CALCULATIONS				
LOT	LOT AREA (S.M.)	UNIT COVERAGE		
		(S.M.)	(S.F.)	(%)
1	482.58	196.00	2109.73	40.6%
2	483.21	212.16	2283.67	43.9%
3	547.70	188.24	2026.2	34.4%
4	646.83	215.75	2322.31	33.4%
5	646.28	215.25	2316.93	33.3%
6	645.73	205.33	2210.15	31.8%
7	650.78	198.58	2137.5	30.5%

Figure 11 – Proposed Lot Coverages

The SP10 also provides for interior side yards of 1.8m for two-storey detached dwellings with attached garages. The proposal shows 1.2m of interior side yards on all proposed lots except the eastern interior side yard on Lot 7 and the southern interior side yard on Lot 1.

TECHNICAL & PUBLIC COMMENTS:

Technical Review

The applicant submitted the following documents as part of the complete application submission, which have been circulated to various public agencies and internal Town departments. The following studies and supporting documentation are also accessible on the Town's website at the following link: [Spruce Rose Inc. - 304 and 318 Spruce Street - Z.1613.66 and 24T-24003/1613 \(oakville.ca\)](#).

- Planning Justification Report
- Heritage Impact Assessment
- Urban Design Brief
- Draft Plan of Subdivision
- Draft Zoning By-law Amendment
- Conceptual Site Plan
- Landscape Plan
- Landscape Details
- Canopy Cover Plan
- Elevation Plan
- Floor Plans
- Renderings
- Streetscape Plan
- Arborist Report
- Tree Protection Plan
- Drainage Plan
- Grading Plan
- Stormwater Management Report
- Servicing Plan
- Functional Servicing Report
- Transportation Memo
- Environmental Site Assessment – Phase 1
- Environmental Site Screening Questionnaire
- Reliance Letter
- Construction Management Plan

Planning Analysis

Planning staff have reviewed all of the technical materials submitted for this application, as well as taken into consideration the current Livable Oakville Official Plan policies, the Urban Design Guidelines as well as the surrounding context of cultural heritage resources and associated policies within the Trafalgar Road Heritage Conservation District Plan.

Staff have also considered recent provincial changes related to housing and Council's commitment to providing housing opportunities within the town to achieve specific housing targets. It is staff's opinion that while detached dwellings are an appropriate land use on the subject site, the proposal as submitted cannot be supported.

The detailed technical analysis of the application material as well as the comments received by Council and the public during the May 21, 2024 Statutory Public meeting are discussed below.

Land Use & Density

The proposed land use of detached dwellings conforms to the Official Plan designation of *Low Density Residential*, allowing for a variety of low-density housing types. Staff supports the opportunity for intensification of the subject site for a detached dwelling use given the surrounding context.

The proposed intensification with detached dwellings meets the density requirement of up to 29 dwelling units per site hectare for the *Low Density Residential* designation. The proposed development results in a density of 17.1 units per site hectare. Staff have not received any objections from area residents regarding the introduction of detached dwellings on the site. However, concerns have been raised about the scale, massing, height, and the site-specific zoning provisions.

Compatibility with Neighbourhood Character

The applicant is proposing a Zoning By-law Amendment to rezone the subject lands to RL5 Zone with site-specific provisions for lot coverage and front yard as discussed previously, to allow seven detached dwellings with attached garages and individual driveway access from Spruce Street and Reynolds Street.

As previously mentioned, the zoning in the area surrounding the subject lands includes RL3-0; SP10 to the north, east, and south, where lot coverage is limited to 25% and height to 9m. To the west, the zoning is RL5-0, which restricts lot coverage to 35% and height to 9m.

The proposed built form, massing and scale of the development is not compatible with the adjacent and surrounding dwellings in the area and therefore does not conform to the Policy 11.1.9.a) of the Livable Oakville which states:

“a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.”

The proposed lot coverages range from 31.8% to 43.9% and have heights of up to 10.63m, which deviate from those typical in the surrounding neighbourhood, contributing to the mass and scale of the proposed dwellings. This makes the proposed zoning incompatible with the surrounding area. The applicant has also not adequately demonstrated that the proposed built form, lot coverages and heights maintain the character of the surrounding neighbourhood.

Appropriateness of Zoning the Lands to RL5

The subject lands are currently zoned *Community Use (CU)* which permits uses such as places of worship, daycares, public schools, art galleries, and emergency shelters. Detached dwellings are not a permitted use.

The subject site is designated *Low Density Residential* in the Livable Oakville Official Plan and permits a range of low density housing types such as detached dwellings, semi-detached dwellings and duplexes. The proposed low density housing types conform to the Official Plan, hence an Official Plan Amendment is not required.

There are many 'Residential Low' zones in Zoning By-law 2014-014. These range from RL1 to RL11, which permit detached dwellings. The distinction lies in the zoning regulations for lot area, lot frontage, setbacks, height, dwelling depth, lot coverage and residential floor area. The RL1 Zone has the most generous lot area permissions and associated regulations to allow large lots with generous setbacks. The RL11 Zone has the least generous lot sizes and associated smaller setbacks.

As previously discussed, the subject lands are surrounded by RL3-0; SP10 Zone towards the north, east, and south.

The RL3-0;SP10 Zone permits:

- maximum height of 9m,
- maximum lot coverage of 19% for a two-storey detached dwelling, and
- minimum interior side yard setbacks of 1.8m for two-storey dwellings with attached garages.

The lands to the west of the subject lands are zoned RL5-0 and are located within the Trafalgar Road Heritage Conservation District. As previously discussed, the RL5-0 Zone permits:

- maximum height of 9m,

- maximum lot coverage of 35%, and minimum interior side yards of 1.2m for dwellings with attached garages meeting the minimum dimension requirements.

Reynolds Street is the dividing line between the two zones. The applicant is proposing a development that exceeds the maximum lot coverage and maximum height requirements for both the RL3-0; SP10 Zone to the north, east and south, as well as the RL5-0 Zone to the west.

- maximum height of 12m,
- maximum lot coverage of 44%, and
- minimum interior side yards of 1.2m for dwellings with attached garages meeting the minimum dimension requirements.

The surrounding neighbourhood comprises of dwellings within the RL3-0; SP10 Zone to the north, east and south of the subject lands, as well as dwellings within the RL5-0 Zone to the west of the subject lands. The surrounding dwellings within both the RL3-0; SP10 Zone and RL5-0 Zone have lower lot coverage, and height requirements than what is being proposed due to the -0 suffix zone framework as discussed earlier in this report. It is noted that there are many dwellings in the neighbourhood that predate the Zoning By-law 2014-014. Notwithstanding, staff is of the opinion that the existing lot coverage and height of the older dwellings are still predominantly less than what is being proposed.

Due to this reason, the proposal does not align with the intent of the zones in the surrounding neighbourhood and would result in a development that will not maintain the character of the surrounding neighbourhood. It is staff's opinion that the RL5 Zone with site specific provisions as proposed is not appropriate for the development of the subject lands.

Appropriateness of the proposed request to reduce the minimum front yard and increase the maximum lot coverage

The proposal includes the following site-specific provisions beyond the regulations of the proposed RL5 Zone to permit the development as proposed:

1. Minimum Front Yard of 6m for Lots 1, 2, & 3
2. Maximum Lot Coverage of 44% for Lots 1 & 2

Minimum Front Yard

The minimum front yard requirement in RL5 Zone is 7.5m and therefore a site-specific provision is needed for Lots 1-3. Lots 1-3 are Reynolds Street facing lots which is classified as a minor arterial in Schedule C Transportation Plan of Livable

Oakville. The lots immediately south of the subject lands have a front yard of approximately 7.0m. Similarly, the lots immediately to the north of the subject lands across Spruce Street have a front yard greater than 7.0m.

The proposed lots with a reduced front yard setback of 6m will not be aligned with the average of the front yard setbacks of the adjacent dwellings to the north and south and will create an irregular streetscape on the east side of Reynolds Street. Therefore, staff's opinion for a reduced front yard setback along Reynolds Street is not appropriate for the proposed development.

It should be noted that the dwellings west of the subject lands, facing Reynolds Street, have smaller front yards compared to those on the eastern side. These dwellings are part of the original housing stock and are situated within the Trafalgar Road Heritage Conservation District.

Lots 4-7 fronting Spruce Street have a front yard setback of approximately 7.5m which is aligned with the adjacent properties to the east fronting Spruce Street.

It is noted that the conceptual site plan provided by the applicant shows the front yard setback measured from the front property line to the front main wall of the dwelling, excluding the porch. The proposed porches are shown to encroach the minimum front yard setbacks. As per Zoning By-law 2014-014 the front porches are subject to the minimum front yard requirements, and a revision of the conceptual site plan would be needed.

Maximum Lot Coverage

According to the applicant's proposed Zoning By-law, Lots 1 and 2 are proposed to have a lot coverage of 44%. The concept plan (Figure 4) provided with the application for proposed Lots 1 & 2, Lot 1 has a proposed lot coverage of 40.6%, while Lot 2 is proposed to have 43.9%. The RL5 Zone requirement a lot coverage requirement of 35%, whereas, the RL3-0; SP10 requirement is 19% for two-storey detached dwellings.

Staff conducted an analysis of the minor variance applications within the surrounding area and found that predominantly the lot coverage approved for two-storey dwellings is less than 30%, and the height approved is less than 9.5m within the RL3-0; SP10 Zone as shown in the Table 2 below:

	Address	Lot Coverage	Height
1	311 Spruce	24.74%	8.99m
2	315 Spruce	24.74%	8.69m
3	339 Spruce	20.9%	-
4	343 Spruce	21.90%	9.47m

5	351 Spruce	23.15%	8.80m
6	348 Spruce	21.8%	8.94m
7	375 Reynolds	27.71%	-
8	303 MacDonald	25%	-
9	341 MacDonald	21.2%	7.43m
10	409 Reynolds	26.7%	-
11	413 Reynolds	24%	-
12	328 Maple Ave	25.42%	9m
13	412 Allan	21.72%	7.09
14	370 Spruce	27.9%	-
15	332 Spruce	26.19%	-
16	311 Maple Ave	26.2%	-
17	319 Maple Ave	34.52%	-
18	316 Maple Ave	23.18%	-
19	331 Maple Ave	39%	-
20	367 Spruce	28.23%	9.37m
21	371 Spruce	25.79%	8.99m
22	375 Spruce	23.18%	9.73m
23	383 Allan	24.48%	8.95m
24	361 MacDonald	26.13%	-
25	351 Allan	25%	8.9m
26	347 Allan	28.48%	9.0m
27	335 Allan	28.3%	5.74m
28	376 Douglas	24.98%	-
29	374 Douglas	24.98%	8.80m
30	368 Maple Ave	21.5%	-

Table 2 – Approved Lot Coverage and Height for surrounding SL3-0; SP10 Zone through Minor Variance applications

Based on the Table above, staff acknowledge that the character of the area tends to have an average lot coverage of 25.56% and average height of 8.61m, which would be more appropriate for this site. As such, the requested increase in lot coverage and height does not maintain the character of the area.

The proposed increased lot coverage and height would result in additional mass and scale that would be incompatible with the neighbourhood character. Staff are of the opinion that the increase in lot coverage is not appropriate for development of the subject lands in the context of the surrounding neighbourhood.

Compatibility with Neighbourhood Lotting Pattern

The lotting pattern in terms of shape and frontage of the proposed lots fronting Reynolds Street does not align with the lotting pattern of the existing lots on

Reynolds Street between Spruce Street and MacDonald Road. These include existing lots immediately south of the subject lands and lots to the west across Reynolds Street between Spruce Street and MacDonald Road as shown in Figure 12 below. The lot configuration of the proposed dwellings varies from the existing Reynolds Street lots between Spruce Street and MacDonald Road which have larger frontages. The proposed lot configuration of Lots 1-3 results in narrow frontages, and are significantly deeper than the existing lots fronting Reynolds Street between Spruce Street and MacDonald Road. This inconsistency in the lotting pattern would consequently create narrower and deeper dwellings that do not maintain the visual continuity of the streetscape.

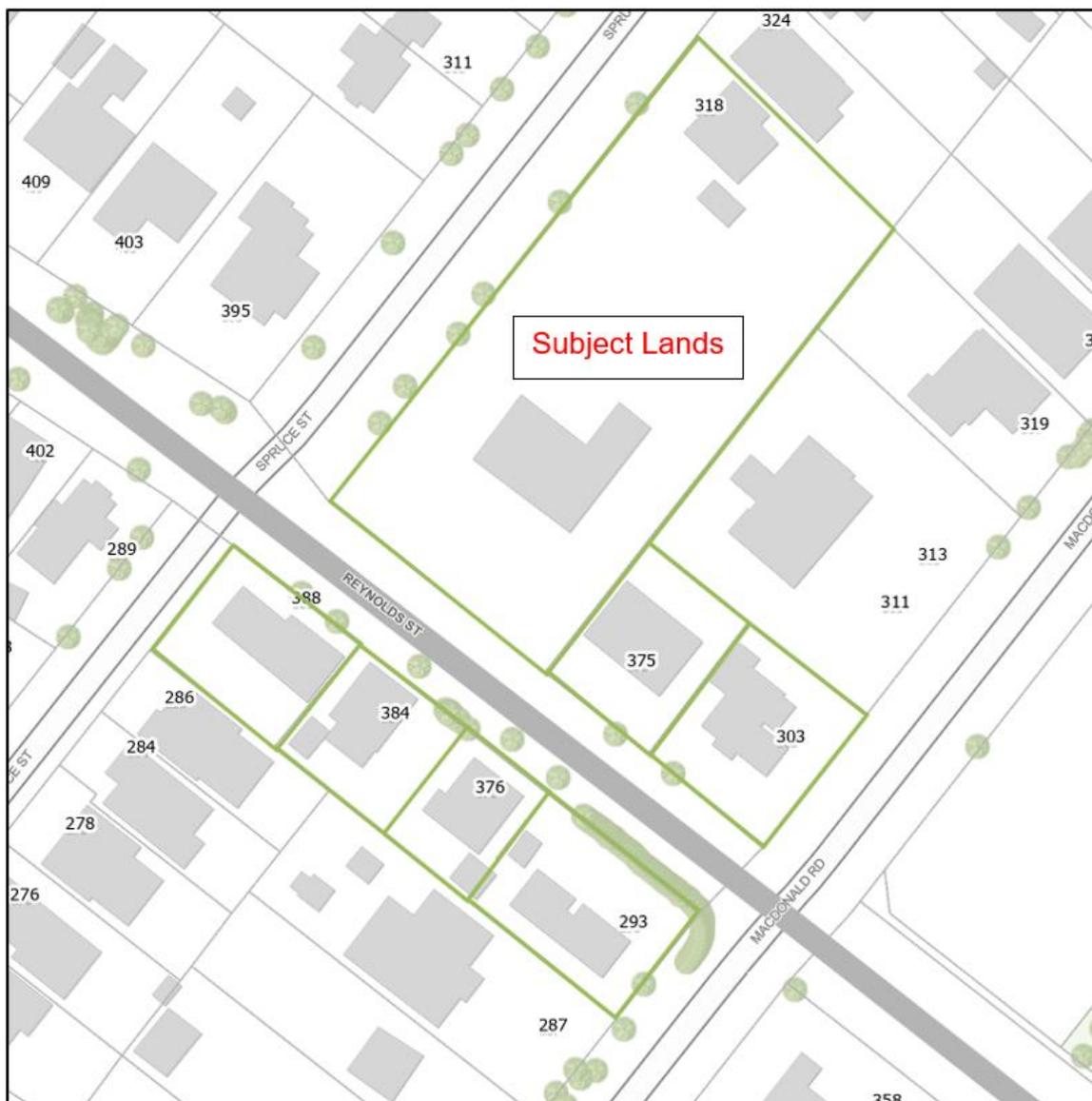


Figure 12 – Lotting Pattern of lots fronting Reynolds Street between Spruce Street and MacDonald Road

Integration/Impact on adjoining and adjacent properties

Due to the proposed request to increase the lot coverage and heights, changes in lotting patterns and dwelling placements along Reynolds Street, reduced setbacks, and the proposed design and built form, the dwellings do not conform to the surrounding neighbourhood character. Specifically, the dwelling proposed for Lot 1 extends significantly beyond the rear wall of adjacent dwellings to the south, raising concerns among the southern neighbours about privacy and overshadowing.

The built form, increased height and lot coverages proposed would result in massing and scale that would be incompatible with the surrounding neighbourhood character and result in undermining the established neighbourhood character. The proposed built form, scale and massing would be considered inappropriate for the development of the subject land in the context of the surrounding neighbourhood.

The lotting pattern and reduced front yard of the dwellings that front Reynolds Street would result in irregular streetscape along the east side of Reynolds Street and therefore negatively impact the neighbourhood character. The proposed dwellings with increased massing and scale on lots that are smaller than what is required in the Zoning By-law would exacerbate the impacts of mass and scale on adjacent and surrounding properties.

It is important to note that adjacent to the subject lands, there are currently community mailboxes located on Spruce Street, which would need to be relocated to a new location. Canada Post has not yet identified a potential location.

Maintenance of Heritage Character

The subject application is located in a neighbourhood predominantly characterized by detached dwellings, many of which are either listed with cultural heritage value, designated, or undergoing designation under the *Ontario Heritage Act*. Section 5 of *Livable Oakville* provides the direction on the conservation of cultural heritage resources. It emphasizes that any construction adjacent to or in the immediate vicinity of the Heritage Conservation District will be guided by the applicable Heritage Conservation District Plan. The section further specifies that the Town may impose appropriate measures to ensure the conservation of heritage resources and their integration into new development as conditions of approval.

The subject lands are adjacent to, and in the immediate vicinity of, the Trafalgar Road Heritage Conservation District. The cultural heritage resources surrounding the subject property are generally characterized by:

- A mix of architectural styles and designs that add diversity and character to the area.
- A variety of setbacks and diversity in built forms that add diversity and character to the area and provide space between buildings for landscaping and views
- Stucco, brick, and wood cladding materials
- Gable, gambrel and hip roof styles
- Heights of one-and-a-half storeys to two-and-a-half storeys that are generally between 7m and 9m in height.

The applicant's proposed heights ranging from 9.96m to 10.63m, and the lack of variety in the position of garages and front doors are a departure from the surrounding context and would result in dwellings that would not maintain the character of the surrounding cultural heritage resources.

Urban Design – Built Form, Massing, Scale and Architectural Materials

The proposal was evaluated in accordance with the Design Guidelines for Stable Residential Communities which are used to direct the design of new development to ensure the maintenance and preservation of the existing neighbourhood in accordance with Section 11.1.9 of the Livable Oakville Plan.

Section 6.1.2 c) of the Livable Oakville Plan provides that the urban design policies of Livable Oakville will be implemented through design documents such as the Design Guidelines for Stable Residential Communities. Staff is of the opinion that the proposal would not implement the Design Guidelines for Stable Residential Communities, in particular the following sections:

- *3.1.1.2. – Character: New development should be designed to maintain and preserve the scale and character of the site and its immediate contexts and to create compatible transitions between the new dwelling and existing dwellings in the surrounding neighbourhood.*
- *3.1.3.1. – Scale: New development should not have the appearance of being substantially larger than the existing dwellings in the immediate vicinity. If a larger massing is proposed, it should be subdivided into smaller building elements that respond to the context of the neighbourhood patterns.*
- *3.1.3.2. – Scale: In instances where the lot patterning has been altered through redevelopment, the scale of the new development should be compatible with the scale of the surrounding buildings.*
- *3.2.2.2. – Height: New development that is taller than the average dwelling in the surrounding area should make every effort to step back the higher portions of the dwelling façade and roof to minimize the verticality of the structure and presence along the building front.*

The proposal fails to demonstrate compatibility with the surrounding neighbourhood character of the Brantwood neighbourhood. The proposed lotting pattern, placement of dwellings, setback variations, lot frontages and lot coverages are not in line with the character of the surrounding residential neighbourhood. Further, the height and scale, including roof scale are not in harmony with the surrounding neighbourhood. With the proposed height and scale, as well as the massing and built form, the dwellings would appear significantly taller than the adjacent and surrounding dwellings and would negatively impact the established character of the neighbourhood.

As discussed previously, the surrounding neighbourhood consists of a mix of architectural styles and designs that add diversity and character to the area with a variety of setbacks and built forms. The dwellings in the vicinity mostly contain stucco, brick, and wood cladding materials and have heights between 7m and 9m. The proposed dwellings with increased heights ranging from 9.96m to 10.63m, and lack of a variety of architectural styles and built forms would be a departure from the surrounding neighbourhood character. It is noted that the proposed development would not be subject to site plan control or heritage permit requirements that would allow opportunities for staff to work with the applicant to revise architectural style and materials.

The proposed dwellings have significant massing and scale due to the increased height, lot coverages, reduced setbacks, as well as the overall design and built form of the dwellings, that is not compatible with the existing dwellings in the surrounding neighbourhood. The design and built form seems more aligned with that of dwellings in recent North Oakville subdivisions than those in the Brantwood neighbourhood.

Tree Preservation

The applicant submitted an Arborist Report and a Tree Protection Plan which was reviewed by Town's Urban Forestry staff. A total of 43 trees were inventoried and assessed in the Arborist Report. Of the 43 trees inventoried, six are municipal trees located on Spruce Street, two trees are boundary trees shared with 311-313 MacDonald Road, 21 trees are located on abutting private properties, and 14 trees are located on the subject site.

As part of the proposed development, 11 trees would be removed which includes two municipal trees located on Spruce Street and nine private trees on the subject site as shown in the Tree Protection Plan in the Figure 13 below. To compensate for the 11 trees being removed, the applicant would be responsible to plant 65 replacement trees.

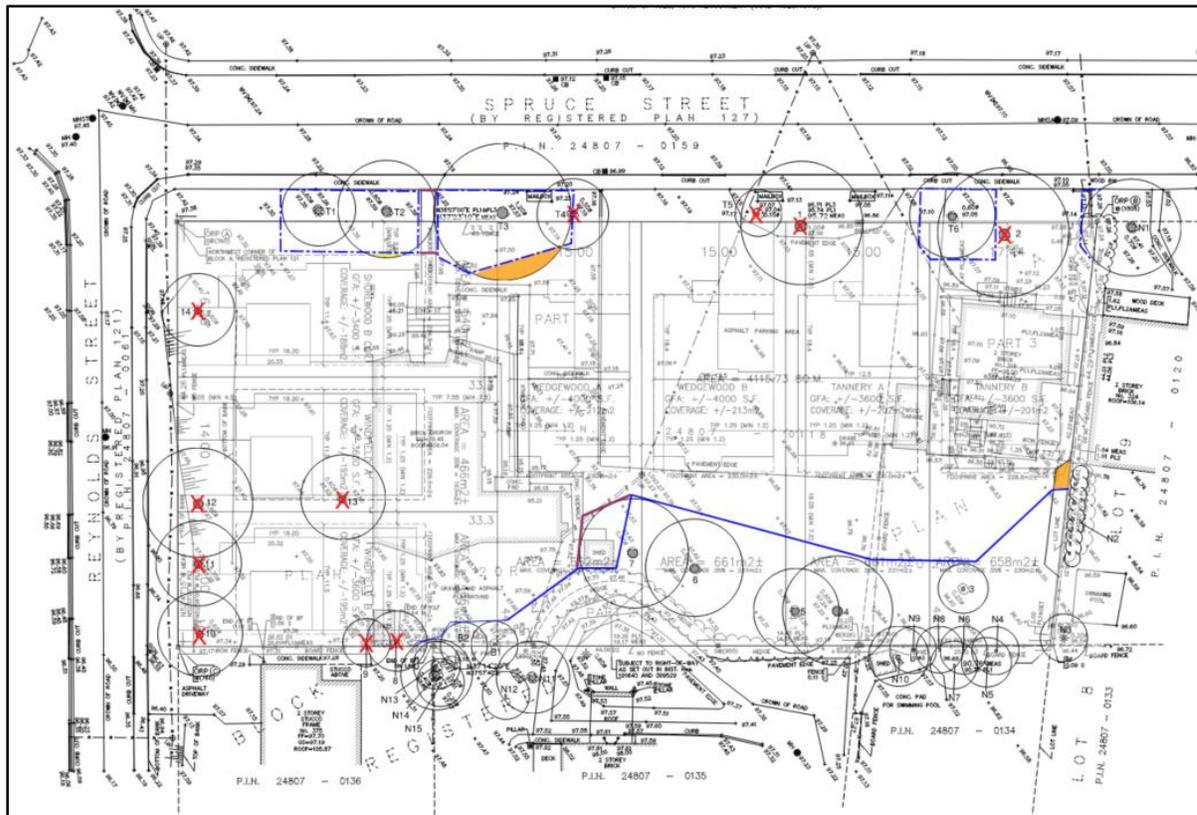


Figure 13 – Tree Protection Plan indicating the trees to be removed

Urban Forestry staff does not support the removal of Municipal street tree – T4 which is a healthy black walnut tree. The arborist report notes that the municipal street tree – T2 will have encroachment into the minimum Tree Protection Zone (TPZ) due to the proposed dwelling construction. Urban Forestry staff suggests that the recommendations of the Arborist report are to be implemented to protect the root system of tree T2.

Section 6.10.2 of Livable Oakville notes that “*Development shall preserve and enhance the urban forest by maintaining existing and healthy trees, where possible, and by increasing tree canopy coverage*”. Further Section 10.1.1 lists “*maintaining existing urban forest*” as one of the sustainability objectives of Livable Oakville.

Staff is of the opinion that the existing trees on the subject site form part of the neighbourhood character. In order to preserve as many trees as possible, staff would suggest a redesign of the proposal to incorporate shared driveways with reduced driveway entrance widths, as well as providing detached garages if needed to reduce the impact of pavement on existing trees.

Transportation Implications

Driveway Separation Distances

A transportation memo was provided by the applicant that provides details regarding the spacing between the proposed driveways as shown in Figure 14 below.

Feature	Minimum Spacing Requirement	Available Spacing	Minimum Spacing Distance Satisfied?
Driveway 1 to Driveway 2	1.0 m	7.34 m	Yes
Driveway 2 to Driveway 3	1.0 m	8.29 m	Yes
Driveway 4 to Driveway 5	1.0 m	8.96 m	Yes
Driveway 5 to Driveway 6	1.0 m	8.96 m	Yes
Driveway 6 to Driveway 7	1.0 m	8.72 m	Yes

Figure 14 – Spacing between driveways

The memo also provides details regarding the driveway distances from the nearest intersection as shown in Figure 15 below.

Feature	Driveway 3 (along Reynolds Street) to Spruce Street	Driveway 4 (along Spruce Street) to Reynolds Street
Minimum Spacing Requirement	6.5 m	6.5 m
Available Spacing	9.03 m	41.08 m
Minimum Spacing Distance Satisfied?	Yes	Yes

Figure 15 – Spacing between driveways and the nearest intersection

Sightlines

The proposed draft plan of subdivision provides a 5m x 5m daylight triangle at the corner of the Spruce Street and Reynolds Street intersection to allow visibility at the corner for pedestrian and vehicular traffic.

Pedestrian and Vehicular Safety

There is an existing concrete sidewalk along both frontages that is to remain. The existing sidewalk forms part of the larger sidewalk network within the neighbourhood and allows safe pedestrian movement along Spruce Street and Reynolds Street.

There is also on-street parking on both sides of Spruce Street that provides additional buffer reducing potential conflicts between the pedestrians walking on the

sidewalk and vehicular traffic on Spruce Street. On-street parking is not permitted on Reynolds Street.

Location Of Driveways In Relation To Transit Stops And School Bus Pick-Up And Drop Off Locations

There is an existing transit stop in front of the proposed Lot 3 on Reynolds Street which may conflict with the proposed Lot 3 driveway location. The applicant has not demonstrated that there would be no conflicts between the proposed driveway and the location of the bus stop. Transportation staff has noted that the proposed bus stop location would need to be temporarily relocated during the construction of the development if approved.

The Halton Student Transportation Services has indicated that four school buses pick up and drop off students in front of the subject lands in the general location of the existing community mailboxes on Spruce Street. One school bus drops off students at the transit stop location in front of proposed Lot 3 on Reynolds Street.

Halton Student Transportation Services has advised that due to the proposed development, the school bus pick-up and drop-off locations may need to be relocated. The new pick-up and drop-off locations will be determined based on the availability of sufficient space for the number of students assigned to be picked-up/dropped-off which has not been determined at this time.

Need for Comprehensive Traffic Study/ Turning Radii Due to Driveways

Transportation staff has indicated that a detailed traffic impact assessment is not required due to the low volume of traffic expected to be generated from the development of seven detached residential dwellings if approved.

Transportation staff has indicated that Turning Movement Plans are not required for on-street residential development.

Stormwater Management and Functional Servicing

The applicant submitted a Functional Servicing and Stormwater Management Report along with Site Grading and Drainage Plans, which have been reviewed by Engineering staff and Halton Region staff. Region of Halton staff note that existing water and sanitary sewer services are available on Spruce Street and Reynolds Street. They also note that a detailed engineering review will be required to address servicing of the development, if approved.

Town engineering staff notes that the applicant proposes a series of 600mm diameter storm sewers to meet the site's stormwater management requirements but

suggests 2.4m easements, which do not meet Town standards. The proposed easement width does not provide adequate space for the Town to perform maintenance on the sewer. The minimum easement size required will be 4.5m.

Engineering staff also observe that the applicant proposes to include a small berm along the eastern property line of Lot 7 to manage grading. However, given the narrow side yard setback of 1.8 meters, the design appears impractical. Additional clarification is needed from the applicant to resolve this issue.

Draft Plan of Subdivision

The effect of the draft plan of subdivision would create seven lots for detached dwellings and one block for daylight triangle. It is noted that the minimum frontage required within RL5 Zone is 15m and the applicant's proposed Draft Plan of Subdivision shows proposed lot frontages ranging from 14m to 17.19m. The RL3 -0 SP10 zone surround the subject lands on three sides requires a frontage of 18.0m. The lot area of proposed Lots 1-3 ranges from 482.58 m² to 547.70 m². The RL3-0; SP10 zone requires a minimum lot area of 557.5 m².

Staff notes that the proposed lotting pattern in terms of frontage and shape of the proposed Lots 1-3 do not meet the configuration of the adjacent properties to the south and across the street and therefore does not meet the criteria of Section 51(24)(f) of the *Planning Act*. The proposed lot configuration for Lots 1-3 would result in narrower and deeper dwellings that would not meet the predominant lotting pattern for lots fronting Reynolds Street between Spruce Street and MacDonald Road and therefore does not conform to the Official Plan policies of compatibility (Section 11.1.9.d) and consequently the Section 51(24)(c) of the *Planning Act*. There are also concerns raised by Engineering staff about the adequacy of easement widths provided for stormwater management as well as the feasibility of the berm located along the eastern property boundary of Lot 7. Notwithstanding, it is staff's opinion that the proposed subdivision to develop detached dwellings is appropriate at the subject lands and therefore meets the criteria of Section 51(24)(d) of the *Planning Act*.

Staff notes that due to the concerns raised by Engineering staff, Transportation staff, Heritage staff and Urban Design staff, the proposed Draft Plan of Subdivision may require further revisions and modifications (i.e less lots or reconfigured lots). The applicant has not addressed concerns raised by staff which were provided to the applicant in a consolidated comments report on May 24, 2024. For this reason, staff is of the opinion that the Draft Plan of Subdivision application should be refused.

Climate Change/ Sustainability Goals

The proposal for residential intensification of an underutilized parcel in an existing stable residential neighbourhood would create much needed housing within the Built-Up Area as per the Growth Plan for Greater Golden Horseshoe. The accommodation of residential intensification within built-up area would create lesser environmental impact as opposed to residential intensification which may have been otherwise developed within greenfield areas outside of the built-up area.

The proposal also abuts a transit stop which would be used by future residents instead of cars, which will reduce greenhouse gas emissions.

Snow Removal

The proposed seven detached dwellings have direct access to the public rights-of-way of Spruce Street and Reynolds Street. Snow removal will be performed similarly to snow removal for other detached dwellings in the neighbourhood.

Public Comments

A virtual Public Information Meeting (PIM) was held on September 19, 2023. Issues raised at the meeting included lot width, lot depth, front yard setbacks, lot coverage, dwelling design, interior side yard setbacks, garage size and driveway widths, compatibility with other dwellings in terms of density, height, and front yard setbacks, loss of vegetation and trees, separation between buildings, and school bus pick-up and drop-off.

Staff received seven letters of opposition to this proposal, which have been included as Appendix “B”. They key concerns raised by the public included the inappropriateness of RL5 Zone for the subject lands, incompatibility with the neighbourhood character regarding massing and scale, loss of vegetation and trees, lot coverage, and height.

These public concerns align with those raised by staff and Council at the Statutory Public Meeting on May 21, 2024, and are discussed throughout this report.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting on September 19, 2024, and it was attended by 34 participants.

A Statutory Public Meeting was held on May 21, 2024 where staff received comments from Council and the public. The comments received from Council and Public have been discussed throughout this report.

Seven written public comments were received and are included as Appendix “B”.

(B) FINANCIAL

Development charges and parkland dedication are applicable to this development, and would be payable at building permit.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Draft Plan of Subdivision and Zoning By-law Amendment applications were circulated to internal and external departments and agencies for comment.

The application must be considered within the prescribed 90-day timeline before an appeal can be filed for lack of decision. The applications were deemed completed on April 12, 2024. The statutory timeframe for processing this application expires on July 11, 2024.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

The proposed development generally complies with the Town’s sustainability objectives of the Livable Oakville Plan. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019, to provide opportunities to reduce the development footprint of the proposal.

CONCLUSION:

As discussed above, staff do not support the applications as submitted which include rezoning the lands from CU to RL5 with site-specific provisions for lot coverage and front yard setback, however, staff support the development of the site with detached dwelling uses which appropriately implements the *Low Density Residential* designation. The following points summarise staff’s opinion:

- The applicant has not adequately demonstrated that the proposed RL5 Zone with site specific provisions for lot coverage and front yard setback as submitted would implement the applicable policies of the Official Plan and therefore, the applications as submitted should be refused. In addition, the proposed zoning would result in a dwelling with a scale and massing that is out of character with the neighbourhood.

- Technical aspects of the proposal such as heritage impact assessment, urban design brief, transportation memo, stormwater management report and association grading and drainage plans, as well as the Arborist Report and Tree Protection Plan required further review and consideration and may require revision of the proposed Draft Plan of Subdivision (i.e. number of lots or reconfiguration).
- It is staff's opinion that the applications as proposed results in a development of detached dwellings in a manner that does not meet the Town's Official Plan policies.

APPENDICES:

Appendix "A" – Renderings

Appendix "B" – Public Comments

Prepared by:

Muzaib Riaz

Planner, Current Planning

East District

Recommended by:

Leigh Musson, MCIP, RPP

Manager, Current Planning

East District

Submitted by:

Gabriel A.R. Charles, MCIP, RPP

Director, Planning and Development

Appendix "A":
Renderings

Reynolds Street Renderings



Lot 1



Lot 2

**Appendix "A":
Renderings**



Spruce Street Renderings



Appendix "A":
Renderings



Lot 5



Lot 6

**Appendix "A":
Renderings**



Lot 7

Appendix “B”: Public Comments

Matthew Mundy – email May 21, 2024

I just wanted to send a note in advance of tonight’s meeting, which I unfortunately cannot attend, expressing my strong objection to the proposed development at the corner of Reynolds and Spruce. I agree with all of the concerns in the attached document.

Moreover, as a longtime homeowner in the area, I have an emotional reaction to developers coming in and trying to turn our neighborhood into a collection of McMansions to make an easy profit. I urge the town to strongly oppose the development.

Attached Document

Comments on Spruce Rose Inc. Proposed Development Hammond/Best | DRAFT

Objections

- 1) **The proposed Spruce Rose Inc. development, transitioning from a former community church to residential use, should adhere to the same requirements, processes, and restrictions as other residential properties situated in its immediate area. This adherence ensures uniformity and equity in development standards and maintains the integrity of the Town of Oakville’s efforts to maintain the neighborhood's heritage and character.**

Concerns with the Current Proposal:

- I. The proposal, as it stands, fails to conform to several key area-specific standards – most notably in terms of Density, Massing/Building Height, Environmental Impact and Heritage requirements. The proposal also disrupts visual harmony by contrasting sharply with the scale and architectural style of surrounding family home lots, which comprise a part of Old Oakville historically known as the Brantwood Annex/Tuxedo Park.
- II. The current design does not conform with the planning submission requirements of residential building projects in its vicinity. This includes homes immediately adjacent to the site that are variously (a) recently constructed, (b) currently under construction, or (c) in the process of submitting proposals for construction, and are required –
 - a. *in all instances* – to meet *Density* (lot coverage limitation) requirements substantially lower than the development proposal is advancing;
 - b. *in all instances* – to adhere to *Massing/Building Height* guidelines as dictated by the Livable Oakville Plan, which mandates that new constructions should

Appendix “B”: Public Comments

not exceed the typical two-story height common in residential areas, to preserve the visual continuity and scale characteristic of the neighborhood;

- c. *in all instances* – to adhere to *Environmental Impact* guidelines for maintaining existing natural features and green spaces as outlined in the Livable Oakville Plan. This includes requirements to minimize the footprint on green spaces, ensure adequate permeable surfaces for water absorption to prevent runoff issues, and preserve mature vegetation and tree canopy coverage which are integral to the local ecosystem and community character;
- d. *in numerous instances* – to follow *Heritage* preservation process requirements involving the designation (or review) of properties under OHA Sections 27 and 29 with the explicit goal of preserving character and ensuring architectural continuity*.

* The lots along the south side of 304-318 Spruce Street at Reynolds Street are located adjacent to the limits of the Trafalgar Road Heritage Conservation District; diagonally across the street from a building designated under Part IV of the Ontario Heritage Act, and adjacent to 4 properties listed on the Oakville Heritage Register. Heritage listed/designated homes in the area include 232, 311-313 and 351 MacDonald Road, 308 and 312 Maple Avenue, 395 and 409 Reynolds Street, 321, 325, 335, 336, 339, 338 – 340 and 348 Spruce Street.

III. Allowing the [Spruce Rose Development] to proceed in its current form, either as a non-conforming development or under a modified zoning arrangement, would set a concerning and detrimental precedent. It would suggest that existing residential planning standards are flexible/inconsistently applied and can be overlooked, undermining the substance and consistency of urban planning in this part of Oakville. Such a precedent would significantly challenge the Town of Oakville’s longstanding commitment to preserving the community’s aesthetic, historical, and cultural values – representing not just a deviation, but a substantial weakening and compromising of the integrity with which Oakville has protected and shaped the identity of the Brantwood Annex/Tuxedo Park area.

- 2) As currently designed, the Spruce Rose Inc. development proposal contrasts starkly with the established character and integrity of the surrounding neighborhood, violating and/or conflicting with several of the Town of Oakville’s core planning standards.**

Specifically, the Current Proposal:

- ***Conflicts with the Livable Oakville Plan*** –

Appendix “B”: Public Comments

The proposed development conflicts with, and undermines, the Livable Oakville Plan – particularly its objectives related to maintaining architectural harmony and community fabric.

- ***Disrupts the visual and aesthetic character of its surroundings –***
The project's scale and architectural style sharply contrast with the surrounding single-family homes, disrupting the area's visual harmony. Moreover, failure to provide necessary transitions in building height and mass significantly undermines the character and property value of nearby properties;
- ***Violates Heritage and Design Compatibility requirements –***
A significant proposed increase in massing and height compared to adjacent properties – coupled with contravention of established yard setbacks – violates guidelines aimed at maintaining visual compatibility and respect for existing neighborhood scales and proportions. Furthermore, the proposed structure's uniform and repetitive design fails to adhere to guidelines that advocate for breaking up massing to harmonize with community structures. This lack of thoughtful integration reflects the proposal's failure overall to meet established community standards and expectations, including architectural style as well as land use/conservation values.
- ***Undermines the cultural and historical context of the area –***
By introducing structures that depart meaningfully from the cultural and historical context of the area, the proposed development diverges from established community values and planning intentions. This area has been subject to numerous municipal decisions, including heritage actions, aimed at preserving the distinctive character and contextual value of its homes. The introduction of an inappropriately scaled and styled development not only disrupts this continuity, but also disregards established guidelines designed to integrate new constructions seamlessly with the existing fabric of the community;
- ***Lacks integration with the neighbourhood –***
The design and density of the development do not reflect community values with respect to heritage, style, conservation, and responsible development;
- ***Introduces privacy concerns (in contravention of planning standards) –***
Increased height and density will lead to significant shadowing, compromising privacy and contradicting planning guidelines;
- ***Contravenes Oakville Town Council obligations –***
The development challenges the Town Council's mandate to ensure development that respects and enhances the established community fabric, in accordance with the Livable Oakville Plan's objectives. The proposed development is contradictory to this obligation.

Appendix “B”: Public Comments

Key Questions for the Developer and Town Council to Address

- How does the proposed Spruce Rose Inc. development justify its lot coverage and density when it substantially exceeds the limits set for other residential properties within the same area, particularly in the context of the heritage attributes of its immediate vicinity?
- Given that the Livable Oakville Plan strictly limits new constructions to a typical two-story height to maintain neighborhood scale, what rationale supports the proposed deviation in building height and mass for this development?
- What steps have been taken to ensure that the proposed development complies with the Ontario Heritage Act, particularly Sections 27 and 29, and how does it reflect the architectural continuity and character preservation goals of the area?
- Can the developer provide detailed plans on how the proposed development will minimize its footprint on existing green spaces, manage water absorption, and preserve mature vegetation as per the Livable Oakville Plan’s environmental guidelines?
- In what ways does the current design align with the established architectural style and community fabric of the surrounding neighborhood, especially considering the sharp contrast it presents in current form?
- How will the proposed increase in height and density address the potential negative impact on privacy and increased shadowing for neighboring properties?
- How does the Town Council reconcile its approval of the proposed development with its obligation under the Livable Oakville Plan to ensure development that respects and enhances the established community fabric?
- How will the proposed development maintain the cultural and historical integrity of Spruce Street and the Brantwood Annex/Tuxedo Park area, considering its significant departure from the local historical context and established community values?
- What measures are proposed to mitigate the impact of the development on the visual harmony and property values of nearby homes?

Specific Comments on Developer Submissions [INCOMPLETE / WIP]

Document	Issue	Comment
Planning Rationale Report	Compliance with Local Policies	Claims of policy compliance lack specific evidence addressing the disruption to the neighborhood's unique character, particularly Spruce Street (historical Brantwood Annex/Tuxedo Park) area
Planning Rationale Report	Heritage and Design Compatibility	The Scoped Heritage Impact Assessment (HIA) does not adequately demonstrate how the proposed development preserves the historical and cultural integrity specific to the community's needs [GO THROUGH THIS IN MORE

**Appendix “B”:
Public Comments**

		DETAIL BASED ON OUR HIA EXPERIENCE]
Planning Rationale Report	Environmental Impact	Though environmental strategies are mentioned, the developers understate the environmental footprint and lack detail on how green space and tree canopy coverage are to be preserved
	Community Integration	Claims of integration with existing neighborhood character overlook deep community resistance and focus insufficiently on how scale and massing contrast with existing homes
[ETC.]		

Julie Schuler – email May 21, 2024

As a resident who lives right across the street from this project, I have concerns with allowing for RL5 zoning because the rest of my block & neighbourhood is RL3. I don't think that RL5 zoning & the proposed urban design (larger lot coverage, smaller setbacks) will conform to the existing character of the neighbourhood. The massing of the 7 homes is way too large & I don't feel like this proposal is the best use of land. The developers have clearly taken zero consideration into what our area looks like in terms of trees, lot coverage, setbacks & style of homes. These 4 items are what make up the neighbourhood & are why we chose to live here. Please keep RL5 zoning to larger urban areas, not older, established neighbourhoods.

Adam Schuler – email May 20, 2024

My name is Adam Schuler & I have concerns with the Spruce Rose proposed development at 304/318 Spruce Street.

- this development fails to conform to the existing neighborhood in style, character & sheer mass size of home based on the ask of RL5 zoning.
- I believe that the subject lands should be RL3 zoning to match the existing neighbourhood, including the development of the former OTMH land
- the proposed development conflicts with the Livable Oakville Plan which states that developments should maintain architectural harmony & community fabric
- there are several beautiful, huge trees on that property & I don't see how, with the massive size of these 7 proposed homes, that the land will not change drastically

As a developer myself, I am not against the development of this property, but it needs to keep in line with our neighbourhood. When I built my house in 2021, I had strict rules that I had to abide by (#1 being lot coverage under 23%), so I don't understand how they can come & get 35%-44% lot coverage right across the street when the entire block & 90% of Old Oakville is zoned RL3.

Dean Parro – email April 29, 2024

Appendix “B”: Public Comments

I am a resident of Spruce Street in Oakville and sending an email regarding the proposed development at 304 & 318 Spruce Street as I understand the applicant has recently filed a development application for rezoning and has requested RL5 zoning. The neighbouring residents and I strongly oppose granting RL% zoning for this property and instead should be providing the same RL3 zoning we were all regulated for. Our entire block is zoned RL3 and yet the developers of the church lot are requesting RL5 zoning which we strongly oppose based on the regulations between the two options. Our street has character and all renovations and builds within the past 15 years has been inline with all existing dwellings. In addition to the zoning, during the online meeting with the town and the developers, it seems they will be asking for multiple committee of adjustments as it seemed in every instance, they are requesting more.....increased lot coverage, increased front yard, main wall proportionality, height variance, rear lot lines, enlargement and division, proximity to neighbouring property line, etc.... The committee must ensure the variances satisfy the following:

1. Does the variance maintain the general intent and purpose of the official plan?
2. Does the variance maintain the general intent and purpose of the zoning by-law?
3. Is the variance desirable for the appropriate development or use of the land?
4. Is the variance minor?

It seems their plans do not comply with any of the above and allowing developers to construct sub-divisions in old Oakville will simply go against the Town’s vision.

Julie Schuler – email April 17, 2024

When is the deadline/process for neighbours to voice their concerns over the proposed development at 304/318 Spruce Street? Will there be a variance meeting?

Also, I would like to know the specifics of the type of zoning that they’re seeking to have approved. I know that zoning is currently community use & they want a RL5 with special provision. Can you tell me what that entails?

Julie Schuler – email April 17, 2024

When is the deadline & what is the process for neighbours to voice their concerns/questions regarding the proposed development at 304-318 Spruce Street?

Jennifer Mundy – email April 16, 2024

I am wondering who I can direct my concerns to about the property at Spruce and Reynolds that is potentially being divided into 7 mini lots (merely 14.5 feet wide if I am reading plans correctly) with 7 proposed homes that are nearly identical to one another, mammoth for the lot size, and generally not at all in keeping with the area. The proposal is concerning/disappointing to us and many of our neighbours. I’ve lived in Oakville for 25 years, and in my current home for nearly 10 years, but have never had concerns about proposed construction until now, so I am not sure what the procedure is. Any direction or help would be appreciated.



Heritage Oakville Advisory Committee

MINUTES

Date: June 25, 2024
Time: 9:30 am
Location: Council Chamber

Members: Gerarda (Geri) Tino, Chair
Councillor Gittings
Councillor McNeice
Russell Buckland
George Gordon
Jason Judson
Bob Laughlin
Brenda Sweeney

Regrets: Drew Bucknall
Kerry Colborne
Susan Hobson

Staff: G. Charles, Director of Planning Services
K. Biggar, Manager of Policy Planning and Heritage
C. Van Sligtenhorst, Supervisor of Heritage Conservation
K. McLaughlin, Heritage Planner
N. Coric, Council and Committee Coordinator
J. Radomirovic, Council and Committee Coordinator

A meeting of the Heritage Oakville Advisory Committee was held on June 25, 2024, in the Oakville Municipal Building, commencing at 9:30 a.m. These minutes will go forward to the Planning and Development Council meeting of July 08, 2024 for approval. Please view those minutes to note any changes Council may have made.

1. Regrets

Regrets as noted above.

2. Declarations of Pecuniary Interest

No declarations of pecuniary interest were declared.

3. Confirmation of Minutes of Previous Meeting(s)

3.1 Minutes May 28, 2024

Moved by Councillor McNeice

That the minutes of the Heritage Oakville Advisory Committee meeting of May 28, 2024, be approved.

CARRIED

4. Discussion Item(s)

4.1 Notice of intention to demolish – 324 Spruce Street – June 25, 2024

The following delegates spoke on this item:

Christienne Uchiyama MA, CAHP, Carrothers and Associates

Ben Daub, MA, Carrothers and Associates

Moved by Bob Laughlin

1. That the property at 324 Spruce Street be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest; and,
2. That, prior to demolition, the property owners allow for the salvage of materials from the house.

CARRIED

4.2 Notice of intention to designate – Multiple properties – June 25, 2024

A separate staff report(s) will be forwarded to a future Planning and Development Council meeting for consideration.

Moved by George Gordon

That a notice of intention to designate be issued under section 29, Part IV of the *Ontario Heritage Act* for the following properties:

1. The Woodlands at 1242 Bronte Road;

2. Crosbie House (South Half) at 135 Chisholm Street;
3. Crosbie House (North Half) at 137 Chisholm Street;
4. McMichael Farmhouse at 3367 Dundas Street West; and
5. William H. Carson House at 506 Lakeshore Road East;

CARRIED

5. Information Item(s)

5.1 Heritage Conservation District Update

5.2 Designation Project Update

5.3 Delegated Heritage Permits, April to June 2024

Moved by Bob Laughlin

That the information item(s) be received.

CARRIED

6. Date and Time of Next Meeting

Tuesday July 23, 2024

Oakville Municipal Building

Council Chamber - 9:30am

7. Adjournment

Moved by Brenda Sweeney

That this meeting be adjourned.

CARRIED

The meeting adjourned at 10:03 a.m.



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-100

A by-law to declare that certain land is not subject to part lot control (Blocks 28, 30, 32, 43, 45 Plan 20M-1268 – Mattamy (Joshua Creek) Limited

WHEREAS By-law 2006-125 delegates to the Director of Planning Services the authority to approve certain applications to designate lands not subject to part lot control; and

WHEREAS the Director of Planning Services has approved such an application for the lands described in Schedule “A”;

COUNCIL ENACTS AS FOLLOWS:

1. Part lot control pursuant to subsection 5 of Section 50 of the *Planning Act*, R.S.O. 1990, c.P-13, as amended does not apply to lands as set out in Schedule “A” attached hereto.
2. This by-law expires one (1) year from the date it has been passed by Council.
3. Schedule “A” forms part of this by-law.
4. The solicitor is hereby authorized to amend the parcel designation, if necessary, upon registration of this by-law.

PASSED this 8th day of July, 2024

MAYOR

CLERK

SCHEDULE "A"

1. Block 28, Plan 20M-1268, designated as Parts 1 to 40, inclusive, on Plan 20R-22691, Oakville
2. Block 30, Plan 20M-1268, designated as Parts 1 to 11, inclusive, on Plan 20R-22683, Oakville
3. Block 32, Plan 20M-1268, designated as Parts 12 to 17, inclusive, on Plan 20R-22683, Oakville
4. Block 43, Plan 20M-1268, designated as Parts 1 to 8, inclusive, on Plan 20R-22682, Oakville
5. Block 45, Plan 20M-1268, designated as Parts 9 to 12, inclusive, on Plan 20R-22682, Oakville



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-105

A by-law to declare that certain land is not subject to part lot control (Blocks 237, 238, 239, 253, 254, 255, 256, 257 and 258, Plan 20M-1270 – Hallett JC Corporation)

WHEREAS By-law 2006-125 delegates to the Director of Planning Services the authority to approve certain applications to designate lands not subject to part lot control; and

WHEREAS the Director of Planning Services has approved such an application for the lands described in Schedule “A”;

COUNCIL ENACTS AS FOLLOWS:

1. Part lot control pursuant to subsection 5 of Section 50 of the *Planning Act*, R.S.O. 1990, c.P-13, as amended does not apply to lands as set out in Schedule “A” attached hereto.
2. This by-law expires one (1) year from the date it has been passed by Council.
3. Schedule “A” forms part of this by-law.
4. The solicitor is hereby authorized to amend the parcel designation, if necessary, upon registration of this by-law.

PASSED this 8th day of July, 2024

MAYOR

CLERK

SCHEDULE “A”

1. Block 237, Plan 20M-1270, designated as Parts 1 to 14, inclusive, on Plan 20R-22684, Oakville
2. Block 238, Plan 20M-1270, designated as Parts 15 to 28, inclusive, on Plan 20R-22684, Oakville
3. Block 239, Plan 20M-1270, designated as Parts 29 to 42, inclusive, on Plan 20R-22684, Oakville
4. Block 253, Plan 20M-1270, designated as Parts 1 to 12, inclusive, on Plan 20R-22697, Oakville
5. Block 254, Plan 20M-1270, designated as Parts 13 to 28, inclusive, on Plan 20R-22697, Oakville
6. Block 255, Plan 20M-1270, designated as Parts 29 to 40, inclusive, on Plan 20R-22697, Oakville
7. Block 256, Plan 20M-1270, designated as Parts 1 to 14, inclusive, on Plan 20R-22681, Oakville
8. Block 257, Plan 20M-1270, designated as Parts 15 to 28, inclusive, on Plan 20R-22681, Oakville
9. Block 258, Plan 20M-1270, designated as Parts 29 to 42, inclusive, on Plan 20R-22681, Oakville



OAKVILLE

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-110

A by-law to declare that certain land is not subject to part lot control (Blocks 199, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216 and 217, Plan 20M-1270 – Primont (Joshua Creek) Inc.

WHEREAS By-law 2006-125 delegates to the Director of Planning Services the authority to approve certain applications to designate lands not subject to part lot control; and

WHEREAS the Director of Planning Services has approved such an application for the lands described in Schedule “A”;

COUNCIL ENACTS AS FOLLOWS:

1. Part lot control pursuant to subsection 5 of Section 50 of the *Planning Act*, R.S.O. 1990, c.P-13, as amended does not apply to lands as set out in Schedule “A” attached hereto.
2. This by-law expires one (1) year from the date it has been passed by Council.
3. Schedule “A” forms part of this by-law.
4. The solicitor is hereby authorized to amend the parcel designation, if necessary, upon registration of this by-law.

PASSED this 8th day of July, 2024

MAYOR

CLERK

SCHEDULE “A”

1. Block 199, Plan 20M-1270, designated as Parts 1 to 11, inclusive, on Plan 20R-22648, Oakville
2. Block 207, Plan 20M-1270, designated as Parts 1 to 9, inclusive, on Plan 20R-22685, Oakville
3. Block 208, Plan 20M-1270, designated as Parts 1 to 6, inclusive, on Plan 20R-22666, Oakville
4. Block 209, Plan 20M-1270, designated as Parts 7 to 10, inclusive, on Plan 20R-22666, Oakville
5. Block 210, Plan 20M-1270, designated as Parts 1 to 4, inclusive, on Plan 20R-22673, Oakville
6. Block 211, Plan 20M-1270, designated as Parts 5 to 11, inclusive, on Plan 20R-22673, Oakville
7. Block 212, Plan 20M-1270, designated as Parts 12 to 17, inclusive, on Plan 20R-22673, Oakville
8. Block 213, Plan 20M-1270, designated as Parts 18 to 21, inclusive, on Plan 20R-22673, Oakville
9. Block 214, Plan 20M-1270, designated as Parts 22 to 25, inclusive, on Plan 20R-22673, Oakville
10. Block 215, Plan 20M-1270, designated as Parts 11 to 17, inclusive, on Plan 20R-22666, Oakville
11. Block 216, Plan 20M-1270, designated as Parts 10 to 17, inclusive, on Plan 20R-22685, Oakville
12. Block 217, Plan 20M-1270, designated as Parts 18 to 23, inclusive, on Plan 20R-22685, Oakville



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-117

A by-law to declare that certain land is not subject to part lot control (Block 107, Plan 20M-696 – Branthaven West Oak Inc.)

WHEREAS By-law 2006-125 delegates to the Director of Planning Services the authority to approve certain applications to designate lands not subject to part lot control; and,

WHEREAS the Director of Planning Services has approved such an application for the lands described in Schedule “A”;

COUNCIL ENACTS AS FOLLOWS:

1. Part lot control pursuant to subsection 5 of Section of the *Planning Act*, R.S.O. 1990, c.P-13, as amended does not apply to lands as set out in Schedule “A” attached hereto.
2. This by-law expires one (1) year from the date it has been passed by Council.
3. Schedule “A” forms part of this by-law.
4. The solicitor is hereby authorized to amend the parcel designation, if necessary, upon registration of this by-law.

PASSED this 8th day of July, 2024

MAYOR

CLERK

SCHEDULE "A"

1. Block 107, Plan 20M-696, designated as Parts 1 to 87, inclusive, on Plan 20R-22706, Oakville



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-113

A by-law to confirm the proceedings of a meeting of Council.

COUNCIL ENACTS AS FOLLOWS:

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.

PASSED this 8th day of July, 2024

Rob Burton

Mayor

Andrea Holland

Acting Town Clerk